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ing out the ballots it appeared that Mr. Russell Dance had four votes, and Mr. William K. Hill had six votes.

When the speaker pronounced that Mr. Russell Dance was duly elected Clerk of the senate;

Whereupon

An oath to support the Constitution of the United States, and of the State of Tennessee, together with an oath of office, was administered to the clerk by Robert Weakley, Esq. one of the justices of the peace for the county of Davidson, and

Then he took his seat at the clerk's table.

The senate next proceeded, by ballot, to the appointment of an engrossing clerk, when, upon collecting and counting out the ballots, on the third balloting, it appeared that choice had been made; it

ordered, That the further balloting for an engrossing clerk be postponed until to-morrow.

The senate next proceeded, by ballot, to the appointment of a door keeper, when, upon collecting and counting out the ballots, on the second balloting, it appeared that Mr. Cornelius Slater was elected, who was directed to give his attendance accordingly.

On motion of Mr. Huntaman,

Ordered, That the clerk do, by message, inform the House of Representatives that the Senate have formed a quorum, and of the appointment of the several officers.

The following message was then received from the House of Representatives:—

A quorum of the House of Representatives assembled, according to the Constitution of the State of Tennessee. They have elected Mr. John H. Cane, the representative from the county of Giles, their Speaker; Mr. Thomas J. Campbell their Clerk; Mr. James A. Watterson

their engrossing clerk; James M'Dowell their door keeper; James H. Brittain their assistant door keeper, and are ready to proceed to business.

Mr. Huntsman submitted the following resolution, which was adopted.

Resolved, That a joint select committee be appointed, to wait upon his excellency the Governor and inform him that both branches of the General Assembly have convened, and are ready to receive any communication he may have to make.

Mr. Huntsman and Mr. Howard were appointed said committee on the part of the senate.

Ordered, That the clerk acquaint the House of Representatives therewith, and ask their concurrence therein.

In which resolution the House of Representatives concurred, and informed the Senate thereof, by message, and appointed Mr. Brady, Mr. Aiken, Mr. Kendall, and Mr. Watkins, the committee on their part.

Mr. Huntsman, from the committee appointed to wait upon his excellency the Governor,

REPORTED,

That the committee had performed the duty assigned them, and that his excellency, the Governor, answered that he would make a communication to the two branches of the General Assembly at four o'clock.

Mr. Huntsman submitted the following resolution, which was adopted.

Resolved, That a joint select committee be appointed to draft rules for the transaction of business, and regulation of the intercourse between the two branches of the General Assembly; and that said committee, on the part of the Senate, report rules of decorum for the government of the Senate.

Mr. Bradford, Mr. Rucker, Mr. Williams, and Mr. Reynolds, were appointed said committee on the part of the Senate.

Ordered, That the clerk acquaint the House of Representatives therewith, and ask their concurrence therein.

The following message was received from his excellency the Governor, by DANIEL GRAHAM, Esq. Secretary of State;

Which was read at the clerk's table.

Fellow Citizens of the Senate, and of the House of Representatives:—

No circumstance is better calculated to excite pleasant emotions in the breast of the real patriot and lover of liberty, than your assemblage for the purposes of legislation. In your election and convention at short intervals, we see exemplified the only majesty that Americans recognize,—the *majesty of the people*. It is a cause of just congratulation, and the thought should fill our hearts with thankfulness to the Giver of every good, that we are the only community upon earth, in which the people practically govern themselves. But, to perpetuate this happy privilege, we must act with moderation, mutual forbearance, mildness, and wisdom. In the selection of public functionaries, we cannot all harmonize. A conflict of interests and friendships, honest partialities and prejudices naturally produces differences of opinion as to the pretensions of opposing candidates; and from these causes sometimes spring undue warmth, and a disposition to do injustice to the motives of those with whom we disagree. Once assembled in this Hall the representatives of the people of Tennessee will not remember the scenes through which they have passed on their journey hither. While it is the duty of the minority to bear in mind one of the leading principles of our government, that the majority rule and to give to you their generous and liberal support, in all your proper efforts to promote the public good; it will be the anxious wish of every highminded statesman, without im-

proper regard to the rights of majorities or minorities, to advance the general welfare of his country. He will never forget that we are all Tennesseans, and that our interests are the same. Under the influence of such considerations, let us unite, like a band of brothers, and labor together for the common good.

Among the subjects, which are calculated to advance the prosperity of our State, that of greater system and science in agriculture is entitled to the serious consideration of the people. The industrious farmer should not be employed exclusively in raising those articles which command the most ready market abroad. His attention should also be directed to the growing of all such, as are required for the use and consumption of his own family. Our varied soil is adapted not only to the production of cotton and tobacco, which may be considered the staple commodities of the state, but also to that of wheat, rye, hemp and flax, all of which are indispensable to our wants. A more diversified application of labor and exertion, therefore—such as will secure the least dependence on a foreign market for the necessary supplies of life and the greatest profit—is the course which should be carefully pursued by every cultivator of the soil. Intimately connected with this subject and the future happiness of our country, are the cultivation of industrious habits, a strict observance of economy in our expenditures, the encouragement of house-hold manufactures, and a positive determination to avoid, as much as possible, the use of foreign goods. Nor is it less essential that it should be deeply impressed upon the mind of the farmer, that the profits of his farm will not authorize him to borrow money upon interest. No class of citizens in the community can pay interest upon money, but those who are actively engaged in commercial pursuits; and even they are as often injured as benefited by it. The

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the state could not be applied to a nobler object, and I propose the measure for your deliberate consideration. The residue of the lands in the Western District, after the satisfaction of North Carolina claimants, will be of no great value—not of sufficient importance, perhaps, to the general government, to justify the expense they must necessarily incur to use them for the general benefit, but yet might be so appropriated by them towards all these objects, as to aid much in the attainment of the ends proposed. Ought not a vigorous effort to be made, to procure a relinquishment of claim to them by Congress for these purposes?

The peace and safety of society require that your early attention should be directed to a revision of our present system of criminal jurisprudence. Daily experience gives abundant proof of its numerous defects. Instances rarely occur where the life of an individual is taken away in consequence of the verdict of a jury, however flagrant the crime he may have committed; and the aversion of jurors to inflict punishment of an ignominious character is also so strong, that the discovery of a single mitigating circumstance too often produces the acquittal of the most notorious offender. But should a verdict of guilty even be found, the feelings of the community are enlisted in behalf of the culprit, upon whom the sentence of the law is to be publicly inflicted at the pillory and whipping post. Petitions are drawn up and signed by nearly all to whom they are presented, soliciting a pardon from the Governor, not because the criminal is thought to be innocent, but in consequence of the degrading character of the sentence, which the court is obliged to direct to be executed upon him. These applications, if successful, add to the numerous chances, which the evil disposed have of escaping the terrors of the law. But if the purposes of justice are not defeated, and the guilty suffer, what motive is there for reform? The un-

fortunate offender who has lost his character at the whipping post, and carries the brand of infamy on his hand, becomes an out-cast and a vagabond—the miserable victim, not so much of his crimes as of the cruel and sanguinary laws of his country. The reformation of criminals and the prevention of crimes, are the great purposes which a wise government seeks to attain by punishment; and it is universally admitted that laws, mild in their character, but certain of execution, are of the utmost consequence in the accomplishment of these ends. Nor is it less important that punishment should be graduated upon a scale commensurate with the magnitude of offences. In bringing to your view the propriety of erecting a Penitentiary, I am enabled to assure you, that the concurring testimony of the States where those institutions are established, recommends them as affording the best means of punishing and reforming the guilty, which benevolence and human ingenuity have been able to devise. It is nevertheless proper to add, that this proof is only given in favor of those prisons recently constructed on the plan of solitary confinement at night. Perhaps the strongest evidence in support of penitentiaries is, that although some of them have been long in use, a single instance has not occurred of their being abandoned for any other system. A fair opportunity was offered for that purpose a few years ago in Virginia, when the penitentiary of that state was destroyed by fire; yet the legislature directed it to be rebuilt with considerable additions. Pennsylvania has had the system in operation since the year 1783, and although extremely defective, so far from giving it up, the people of that state have within the last few years, expended a large sum of money for the erection of two penitentiaries, one at Philadelphia and the other at Pittsburgh. They are upon the most approved plan for solitary confinement; and it is intended that the convicts shall perform

no labor, a policy which no other state has adopted, and one which it is believed experience will not sanction. The prison discipline society of Boston, instituted for the praise-worthy purpose of improving public prisons, has with great assiduity collected a mass of useful and interesting information on the subject, the principal part of which has been procured by the personal examination of an active and intelligent agent. The second annual report of this society, I trust, I shall be able to lay before you in a few days, having written to Boston requesting it to be forwarded. Experience has taught those concerned in penitentiaries, that their success mainly depends upon the selection of moral and attentive officers, constant and profitable employment throughout the day, and separate confinement at night. The separation of convicts at night prevents evil communications, obliges them to reflect on the follies of a wayward and ill-spent life, and destroys all chance of concerted plans of escape. By keeping them constantly employed throughout the day, all expenses are paid by their labor, they enjoy a much better state of health than if they were idle and are enabled, when discharged from prison, to support themselves honestly. The subject is one of great importance. In acting upon it, you have the experience of others to guide your way, and I am persuaded you will do that which will best promote the happiness of the state.

The attention and resources of many of our sister states are actively employed in promoting the great work of internal improvement. New York has expended the sum of almost ten millions of dollars in cutting a canal to unite the waters of Lake Erie with those of the Atlantic. Some of the immense advantages of this communication are, a ready market for all the produce of the country, an unparalleled increase of population, and the creation of a revenue from toll, which is confidently asserted, will not only pay interest and contin-

gent expences, but form a sinking fund for the redemption of the debt created for the completion of the canal, and ultimately support the government and relieve the state from taxation. This work, so beneficial to the state, sheds a lustre upon the names of its principal projectors, and will endear their memory to future ages. Pennsylvania, besides having constructed upwards of six thousand miles of turnpike roads, has erected numerous permanent and costly bridges over her water courses, and is now rapidly advancing with a line of canals, five hundred miles in length, which when completed, will open, with the exception of a short distance, a water communication from Philadelphia to Pittsburgh. The state of Ohio is actively employed in opening a canal, about three hundred miles long, which is intended to unite the waters of Lake Erie with those of the Ohio river. And the enterprising citizens of Baltimore have lately formed an association with ample funds for the purpose of making a railroad from that city to the river Ohio, and a survey of the route upon which the road is intended to pass, has been or is nearly finished. This extensive system of internal improvement, when completed, will open safe and cheap communications to the eastward for the commerce of the rich valley of the Mississippi and its tributary rivers, and serve to bind the north and the south together by the inseparable ties of common interest. Other works of less magnitude, but of great value to the internal trade of the country, are proceeding vigorously in many of the other states. It is perhaps inexpedient for Tennessee immediately to undertake an extensive system of internal improvement, but the time ought not to be distant, when the obstructions to navigation in all our rivers should be removed, turnpike roads constructed, and our produce find a market through artificial water communications. The growing prosperity and commerce

of the state, call upon us to make a commencement. I would therefore, respectfully recommend that commissioners be appointed, in whose hands funds shall be placed to employ a skilful engineer, under *their* direction, to make a survey of our principal rivers, examine routes of contemplated roads and canals, with a view of procuring information essential to the success of the great work.

It is unnecessary for me, at this time to give my views at length in relation to the judiciary. The opinions which I have heretofore frequently communicated to the General Assembly remain unchanged. Referring you to those opinions, I recommend the subject to your serious deliberations.

During the present session, it will be incumbent on you to pass a law authorizing the election of electors to vote for president and vice president of the United States; and in acting upon the subject, it is essential that due regard be paid to the act of congress regulating the time of holding the elections, and the period at which the electors shall meet for the purpose of voting.

It has been the custom of nations in every age to perpetuate the memory of those who were pre-eminently distinguished in defending the rights and promoting the happiness of mankind. If such testimonials of a country's approbation be proper, to whom are they more appropriately due, than to the late General James Robertson? After having previously explored the country, he came here in 1779, accompanied by a few families of a daring and enterprising character. With this little band he erected forts for defence, and determined to make a permanent settlement. The Indians who had been long in the free and undisturbed possession of the country, soon commenced hostilities against their new neighbors. The contest was unequal, and it frequently required all the firmness and heroic valor of the General to contend with the numerous difficulties by which he was surrounded. But

with his resolute associates he sustained his new colony against an Indian war of almost fifteen years, during most of which time the yell of the savage and the cry of the suffering victims of their cruelty were alike familiar to his ears. The loss of brothers, sons, and friends who were dear to him, did not interrupt his unshaken purposes. He had resolved upon success, and he did succeed. He lived to enjoy the fruits of his own labor, and to see the wilderness assume the gladdening appearance of cultivation. A few years ago, he departed this life, full of years and of usefulness. His remains lie buried in the vicinity of Nashville, without a stone to mark the spot where they repose. In compliance, therefore, with what I am persuaded will meet the approbation of our common constituents, I have pleasure in recommending to your consideration the propriety of erecting a monument to his memory, at the expense of the state, as an evidence of regard for his signal and useful services. Thither we can repair, and pour out the affections of our hearts, at the shrine of him, who has with propriety been called the *Father of West Tennessee*.

Since the adjournment of the last session the following temporary appointments have been made—Henry Crabb, esq. judge of the supreme court; Abraham Martin, esq. solicitor for the 8th solicitorial district; Alpha Kingsley, notary public of Davidson county; Joseph Smith, entry taker of Stewart county; James D. Rhea, surveyor of Sullivan county; James R. White, entry taker of Bedford county; and John W. Anderson, entry taker of White county. Those appointments were made in consequence of the death of some, and the resignation of others, of the former incumbents. As they expire at the end of the present session, the duty of making permanent appointments will devolve upon you at this time.

About to retire from the office of chief magis-

trate of the state, which I have held for the last six years, a fit occasion presents itself through you, to tender to the people of Tennessee my unfeigned acknowledgments for the numerous evidences which they have given me of their confidence and regard, and to assure them, that whether in a public or private station, I shall lose no opportunity of contributing by all the means in my power, to the promotion of their happiness and the preservation of their liberties.

WM. CARROLL,

Executive Office, Nashville, Sept. 17th, 1827.

Mr. Walker submitted the following resolution.

Resolved, That the following committees be appointed;

Standing Committees of the Senate.

A committee on land claims.

A committee on banks.

A committee on a penitentiary.

A committee on privileges and elections, and

A committee on the judiciary.

Joint Committees.

A committee on enrolled bills and

A committee of finance.

Mr. Huntsman, the following.

Resolved, That a joint select committee be appointed to enquire, if any, and if any, what amendments are necessary to the judiciary system of this State, and that they have leave to report by bill or otherwise.

On motion of Mr. Brown,

Ordered, That said resolutions lie upon the table.

And then the Senate adjourned until to morrow morning 10 o'clock.

TUESDAY, SEPTEMBER 18, 1827.

Mr. Bradford, from the committee appointed to draft rules for the government of the senate,

REPORTED,

The following rules:—

1. When the speaker is in the chair every member shall come into the house with his head uncovered, and shall continue so at all times when the senate is in session.

2. When the speaker has taken the chair and two thirds of the members being present, the clerk shall read the journal of the preceding day.

3. When the journal or other public documents are reading, and when a member is speaking there shall be no interruption; the attendance of each member is expected.

4. Every member, when he speaks, shall address himself to the speaker or chairman as the case may be, who shall give his attention by naming the member, who, when he has finished shall sit down.

5. When any motion shall be before the senate, and not properly understood, the speaker may explain it, but shall not in such explanation use argument.

6. If two or more members shall rise to speak at the same time, the speaker shall decide which shall have the preference.

7 The speaker may debate on any question proposed, according to the rules of the senate, provided he leaves the chair and speaks before the arguments are closed.

8. Any member digressing from the subject, or using personal observations or reflections, shall be called to order by the speaker, chairman, or any member present

9. All motions of a general nature, shall be committed to writing, and seconded, before they shall be considered in the possession of the senate.

10. No member shall speak more than twice on the same subject, without leave of the senate, unless in committee of the whole.

11. No member shall absent himself from the service of the senate, without leave first obtained.

12. No member shall pass between the speaker and any member while speaking.

13. When the votes upon any question before the senate is taken, those in favor of the question shall express their assent by rising or saying *aye*, and those against it, by sitting or *nay*, as required by the speaker.

14. All bills withdrawn for amendment or other purposes, shall be returned in three days.

15. It shall be deemed out of order for any member to be on his feet when the speaker is addressing the senate.

16. The first member named on any committee shall be deemed and act as chairman of said committee.

17. On motion of any member, and such motion seconded, the vote shall be taken by yeas and nays, provided the motion is made before the decision of the question is pronounced by the speaker.

18. When any question before the senate shall be decided in the affirmative or negative, it shall be in order for any member of the majority to move for a re-consideration thereof within three days; and no question shall be re-considered more than once.

19. It shall be the duty of the door keeper to keep all persons from mixing with the members while in session, unless specially invited to sit within the bar of the senate.

20. Petitions are to be called for by counties, each morning, first in order after reading the journal, beginning with the most eastwardly, and progressing westwardly; tax returns may be presented at the same time, and in the same order with petitions.

21. Reports from standing committees shall be next in order, and reports from select committees shall be next in order. Reports from the committee of enrollment may be made at any time.

22. No amendment shall be made to any bill which contains provisions distinct and unconnected with the subject matter of said bill.

23. The senate, whenever a majority shall so direct, may be resolved into a committee of the whole for the discussion of any question that may be depending before it.

24. In all questions before the senate, the speaker shall vote, and in all questions where there is a tie the question shall be lost.

25. The senate shall at all times be considered in session when the speaker takes the chair, and the roll shall never be called, unless on motion, seconded.

26. From the decision of the speaker upon all questions coming under these rules any member dissatisfied therewith, may appeal to the senate.

27. The regular hour for the meeting of the senate every morning shall be nine o'clock, unless otherwise ordered.

28. That all resolutions, submitted to the senate, shall lie one day on the table for consideration.

29. That all bills of a public and general nature after being engrossed, shall be read to the senate by the clerk, before they are presented to the speaker for his signature.

The said report was read at the clerk's table, and concurred in.

Mr. Rucker presented the resignation of Samuel H. Laughlin, esq. attorney general of the sixth senatorial district, which was read and accepted.

Ordered, That the clerk transmit it to the house of representatives, and inform them thereof.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker,

The house of representatives have adopted a resolution that a joint select committee be appointed to draft rules for the intercourse between the two houses, relative to the passage of bills, and ask your concurrence therein. Mr. Hope, Mr. Campbell, Mr. Rogers, and Mr. Egnew are appointed said committee on their part.

And then he withdrew.

The said message was then read at the clerk's table, and concurred in.

Mr. Bradford, Mr. Reynolds, Mr. Williams, and Mr. Rucker were appointed to be of said committee on the part of the senate.

Ordered, That the clerk acquaint the house of representatives therewith.

The senate again proceeded, by ballot, to the election of an engrossing clerk;

Mr. Garrett, Mr. John H. Morgan, Mr. S. H. Laughlin, Mr. Richard Nelson, Mr. J. P. Lowry, Mr. J. M. Gibson, Mr. Moulton Dickson, and Mr. Isaac Erwin in nomination; and after balloting twenty-six times, no choice having been made, neither of the candidates having received a majority of the votes; it was

Ordered, That the further balloting for an engrossing clerk be postponed until to-morrow morning.

Mr. Huntsman introduced a bill directing the mode of surveying of occupant entries in the western district; and

A bill to repeal all laws heretofore passed authorizing a change of venue in criminal cases.

Mr. Smith, a bill giving further time to those that have made entries north and east of the congressional reservation line, to obtain their grants; and,

Mr. Howard, a bill for the relief of sheriffs and collectors.

Which bills were severally read the first time and passed.

Mr. Bradford submitted the following resolution:

Resolved, That so much of the Governor's message as relates to education and common schools, be referred to a select committee, with leave to report by bill or otherwise.

Mr. Rucker, the following;

Resolved, That the Secretary of State, furnish the door keepers of either branch of this General Assembly with any books or documents in his office for the use of the members.

Mr. Greene, of Franklin, the following;

Resolved, That so much of the Governor's message as relates to internal improvements, be referred to a select committee, with leave to report by bill or otherwise; and

Mr. Williams, the following;

1. *Resolved by the General Assembly of the State of Tennessee*, That the entry takers of the several counties in this State, forthwith report, on oath, to the legislature, the amount of money received for entries of lands made in their respective offices, and to whom the same was paid, and when paid.

2. *Resolved*, That the president and directors of the bank of the State of Tennessee, report to the legislature, the amount of money received from each of the entry takers; and when received; and that said bank report the amount of money annually loaned in each county from its establishment to the present period; designating, as far as practicable, in what manner said loans are secured, whether by a lien on real estate, or by personal security: Also, state, whether said bank has substituted a lien on real estate for personal security, and if so, in what instance, and the names of the endorsers thus released; and whether any loss is likely to be sustained by such exchange of securities, and if so,

how much; and that said bank further report the annual expenses of the institution from its establishment to the present period, designating, in said report, the particular items of expense at the principal bank, at its branch, and at the several agencies.

3. *Resolved*, That the president and directors of the old State Bank of Tennessee, report to this General Assembly, whether said bank has substituted a lien on real estate for personal security, and if so, in what instance, and the names of the endorser thus released; and whether any loss is likely to be sustained by such exchange of securities, and if so, how much.

According to a rule of the senate, said resolutions lie one day upon the table.

And then the senate adjourned.

WEDNESDAY, SEPTEMBER 19, 1827.

Mr. Garrett presented the returns of the clerks of the county courts of Claiborne and Grainger counties, of the amount of law and state taxes collected in said counties for the years 1825 and 1827; also, a return of the clerk of the circuit court of Grainger county, of the amount of law tax collected in said county for the years 1825 and 1826; and, also, the returns of the clerks of the county courts of Grainger and Claiborne counties, of the number of captains' companies and justices of the peace in said counties; and, also, the clerks' return of the number of votes given for and against a call of a convention in the counties of Grainger and Claiborne.

Mr. Walker presented the return of the clerk of the county court of Hickman county of the amount of law and state taxes collected in said county for the years 1825 and 1826; also a return of the number of captains' companies and justices of the peace

in said county; and, also, a return of the clerk of the circuit court of said county of the amount of law tax collected for the years 1825 and 1826.

Ordered, That said returns lie upon the table.

Mr. Bradford, from the joint select committee appointed to draft rules to regulate the intercourse between the two branches of the General Assembly,

REPORTED the following rules ;

Rule 1st. That in the intercourse between the two branches of the General Assembly, all communications from one branch to the other, shall be transmitted by the clerks *respectfully*, and the clerk who bears the communication, shall address the speaker at the bar of the house to which he goes, and inform him of the object of his message.

Rule 2d. That there shall be appointed a joint committee of finance, and that all reports from said committee, shall be transmitted to each house.

Rule 3d. That all bills shall be read on three several days in each house before they shall be transmitted to the other house, and shall be engrossed before a third reading.

Rule 4th. That committees of conference shall be appointed at the discretion of the two houses.

All which, is respectfully, submitted.

THEODERICK F. BRADFORD, Chairman.

The said report was read at the clerk's table.

The first and second rule was concurred in.

Mr. Green, of Franklin, moved to divide the third rule, so as to take the question of concurrence with so much thereof, as required bills to be read on three separate days in the house in which they are introduced before they are transmitted to the other house;

And the question thereon was taken,

Will the senate concur in that part of said rule,

And determined in the negative;

There being ayes 5—noes 15.

The ayes and noes being required;

Those who voted in the affirmative are,
Messrs Bradford, Garrett, Green of Franklin,
Huntsman, Williams---5.

The negative are,
Mr. Speaker Hall, Brown, Cain, Frey, Gam-
mon, Gray, Greene of Roane, Howard, Lowry.
Lytle, McMeans, Reynolds, Rucker, Smith, Walk-
er,—15.

And so, that part of said report was non-concurr-
ed in.

Mr. Reynolds, Then offered the following rule
as a substitute for the 3d and 4th rule reported
by the committee:—

“That all Bills introduced in either house of the
General Assembly shall be read, and if passed,
endorsed by the clerk and transmitted to the other
house: and all bills of a public and general na-
ture; shall be engrossed in the house, in which
they are introduced before they are read a third
time.”

The said rule was read and adopted in lieu of
the 3d and 4th, reported by the committee.

Ordered, That the clerk acquaint the House of
Representatives therewith.—

The Senate took up and proceeded to the con-
sideration of a resolution submitted by Mr. Brad-
ford of yesterday on so much of the Governor's
message as relates to education and common
schools—and a resolution submitted by Mr. Ruck-
er requiring the secretary of state to furnish the
door keepers with books, &c. for the use of the
members—and a resolution submitted by Mr.
Green of Franklin, on so much of the Governor's
message as relates to internal improvements.

Which resolutions, on being severally read,
were adopted.

Ordered, That the clerk acquaint the house of
representatives with the adoption of the second of
said resolutions, and ask their concurrence there-
in.

On motion of Mr. Williams,

Ordered: That the three resolutions submitted by him on yesterday lie upon the table till to-morrow.

The Speaker appointed on the committee on education and common schools; Mr. Bradford, Mr. Howard, Mr. Huntsman and Mr. Frey.

On the committee on internal improvements; Mr. Green of Franklin, Mr. Gammon, Mr. Reynolds, Mr. Gray, Mr. Lytle and Mr. Lowry.

The Senate again proceeded, by ballot to the appointment of an engrossing clerk, Mr. J. H. Morgan, R. Nelson, J. P. Chase, S. H. Laughlin and Isaac Erwin, in nomination; and upon collecting and counting out the ballots on the thirteenth balloting, it appeared that Mr. John H. Morgan, had received eleven votes and Mr. Richard Nelson had received nine votes; whereupon the speaker pronounced that John H. Morgan was duly elected engrossing clerk of the senate, who took his seat at the clerk's table, an oath to support the constitution of the United States and of the state of Tennessee, together with an oath of office having been first administered to him by George Wilson, Esq. one of the Justices of the Peace for Davidson county.

A message from the house of representatives by Mr Campbell, their clerk.

Mr. SPEAKER;

The House of Representatives have adopted the following resolution in which they ask your concurrence.

Resolved, That a joint select committee be appointed for the purpose of contracting with some suitable person to furnish stationary, &c. for the use of the general assembly.

And then he withdrew.

The said resolution was read and concurred in.—

Ordered, That the clerk, acquaint the house of representatives therewith.

Mr. Howard introduced a bill providing for writs of error.—

And Mr. Huntsman, a bill for the establishment of chancery courts, and for the modification of the supreme court, and for other purposes.

Ordered, That said bills lie upon the table.

Mr. Garrett, introduced a bill to repeal an act, passed 26th of Oct. 1821, entitled 'An act to help and speed poor persons in obtaining their just rights.'

Mr. Gray,

A bill to prevent abuses in granting certioraris, supersedeases and injunctions.

Mr. Green of Roane,

A bill concerning the Register in the Hiwassee district.

A bill concerning costs in criminal prosecutions and for other purposes.

Mr. Huntsman,

A bill more effectually to enable creditors to collect their just debts.

A bill to establish a treasury department in the western district.

A bill for the benefit of poor defendants.

A bill regulating endorsements for sums under fifty dollars.

A bill authorizing transfers of certain causes.—

And a bill to prevent judgments from having a lien beyond the limits of the jurisdiction where such judgment was obtained.

Mr. Smith,

A bill to authorise sheriffs to transfer certain entries.

Mr. Lowry,

A bill for the relief of Wm. G. Lytle of Monroe county.—and

A bill for the relief of Peter Breakbill;—and

Mr. Williams,

A bill to amend an act, concerning old titles to land, and for limitation of actions, and for avoiding suits at law.

Which bills were severally read the first time and passed.

Mr. Brown, submitted the following resolution:

Resolved, by the General Assembly of the State of Tennessee, That Robert L. Cobbs, be requested to communicate to this general assembly, as early as practicable, what progress has been made in revising the laws of this state.

Mr. Green of Roane, the following:

Resolved That so much of the Governor's message, as relates to a revision of the criminal jurisprudence of this state, be referred to a select committee, with leave to report by bill or otherwise.

Mr. Williams, the following:

Resolved, That a joint committee be appointed to enquire and report what deduction, if any, should be made in the compensation heretofore allowed to the printers of the laws and journals of this state:—and

Mr. Reynolds, the following:

Resolved, That a select committee be appointed to contract for such job printing as will be necessary for the use of the senate.

According to a rule of the senate, said resolutions lies one day upon the table.

And then the senate adjourned.

THURSDAY, SEPTEMBER 20th, 1827.

Mr. Gammon, presented a return of the clerk of the county court of Hawkins county, of the amount of taxes collected in said county, for the years 1825 and 1826—also, a return of the number of captains companies and justices of the Peace in said county—and, also, a return of the

clerk of the circuit court of said county of the amount of law tax collected for the years 1825 and 1826.

Mr. Lowry a petition of Thomas White and others, stating that they were purchasers of land at the Hiwassee land sales; that subsequently they were sued by the heirs of Willivah Maw an Indian reservee, and recovery had against them in the circuit court of Monroe county, and praying such remuneration as the justness of their case requires, and the Legislature in their wisdom may deem right.

Ordered, that said returns and petition lie upon the table.

A resolution, submitted on yesterday by Mr. Brown, requesting R. L. Cobbs, to report the progress made in revising the laws;—and

A resolution submitted by Mr. Green of Roane to appoint a committee on so much of the Governor's message as relates to the criminal jurisprudence of the state;—and

A resolution submitted by Mr. Reynolds, to appoint a committee to contract for the job printing of the senate.—and

A resolution submitted by Mr. Williams, to appoint a joint select committee, to enquire into the compensation heretofore allowed to the publishers of the laws and journals, and if any, what deduction should be made;—

Were, severally read and adopted.

Ordered; That the clerk do by message, acquaint the House of Representatives of the adoption of the first and last mentioned of said resolutions, and ask their concurrence therein —

The senate took up and proceeded to the consideration of the three resolutions submitted by Mr. Williams on the 18th inst.

Mr. Howard offered the following resolution as a substitute for the first of said resolutions;

C2 SENATE

Resolved, That the clerks of the several county courts of this state, to whose offices returns have been made by commissioners appointed by law to examine the different county entry takers offices, forthwith transmit a copy of such statement or return, or so much thereof, as will shew the number of acres entered in his office; the amount of money actually received and which ought to have been received, and to whom paid over and when.—

Resolved, further, that where no such commissioner shall have been appointed, or if appointed, have made no examination or return thereof, in such case or cases, the Entry-taker of such county or counties, shall forthwith, transmit to this General Assembly, the number of acres entered in his office, the amount of money received, and when; and also, when paid over and to whom.

On motion of Mr. Williams, it was

Ordered, That the further consideration of said resolutions, as well as the substitute offered by Mr. Howard, be postponed until to-morrow.

The senate then took up a resolution submitted on the 17th inst., proposing the appointment of standing and joint committees.

Which was again read.

Mr Walker moved to amend said resolution by making the judiciary committee, a standing committee of the senate, instead of a joint committee; and also, by adding thereto,

A Committee of propositions and grievances;

A Committee of claims,

A Committee on the militia;

A Committee on justices of the peace:

Which amendments were agreed to, and said resolution adopted.

A message from the House of Representatives by Mr. Campbell, their clerk.

Mr. SPEAKER,

The House of Representatives concur in the rules to regulate the intercourse between the two Houses, as reported by the joint committee except the "Third rule," but concur in your substitute therefor, and insist upon your concurrence in the "fourth rule," as reported by the committee.—

And then he withdrew.

The said message was read at the clerk's table, and the senate receded from their con-concurrence in the fourth Rule reported by the committee.

Ordered, That the clerk acquaint the House of Representatives therewith.

Mr. Bradford submitted the following resolution:

Resolved, by the General Assembly of the State of Tennessee; That the trustees of the "University of Nashville" and the "Trustees of the college of East Tennessee" be requested to report to this General Assembly, the amount of funds belonging to each, of said institutions arising from public donations, or any law of the State, distinguishing such as are at this time available, from those which are not—How they are vested at this time, what are the annual proceeds arising from them, and how the same has been appropriated, embracing the accounts of each institution for the last four years—What are the branches of education taught in each at this time, and what are the rules adopted, regulating the admission of students into each of those institutions.

Resolved, That the Trustees of each and every Academy in this state, also make a report to this General Assembly of the amount of funds belonging to each, arising from public donations or any law of this State, distinguishing such as are at this time available from those which are not; how they

are vested, what are the annual proceeds arising from them; how the same has been appropriated, embracing the accounts of each of said institutions for the last four years; what are the branches of education taught in each at this time, and what are the rules adopted, regulating the admission of students into each of said institutions.

Mr. Huntsman the following:

Resolved, That the judiciary committee be instructed to enquire into the expediency of having such decisions of the supreme court reported as are in force.

Mr. McMeans, the following:

Resolved, That the senate, meet the house of representatives in their hall on Thursday next for the purpose of electing a surveyor for Humphreys county.

Mr Smith, the following:

Resolved, by the General Assembly of the State of Tennessee; That the "President and Directors of the Bank of the state of Tennessee" report to this General Assembly, such agents as are in default, and to what amount; at what time said agents became defaulters; whether suits have been commenced against them; what cases judgments have been rendered, and the amount of such judgments; and report as far as practicable if the persons against whom judgments have been rendered are solvent and able to pay the same.

Resolved, That the "Solicitors" of the several districts in this state, report, to this General Assembly, how far they have performed the duty assigned them by the laws which requires steps to be taken against the entry-takers who have failed to pay over the public money; in what cases they have commenced suits, in what cases judgments have been rendered, the amount of such judgments, and as far as practicable, the solvency of the persons against whom judgments have been rendered.—

And further, report, the situation of such suits as are now pending against the Entry-takers.

Resolved, That the "President of the Bank of the state of Tennessee;" report the amount of money received by the agents of the Entry-takers.

Resolved. That the "President of the Bank of the state of Tennessee" report the amount of school funds which have been received by the Bank from its establishment, from [what] sources derived, how they have been managed, whether loaned or held on deposit.

Resolved, That a select committee be appointed to take into consideration the Treaty or compact entered into between this state and the state of Kentucky, to settle the boundary line between the two states, and to enquire in what manner the provisions of said treaty affect the interest of the citizens of this state, residing east of Tennessee river, and north of the parallel of latitude thirty six degrees thirty minutes, and if any legislation upon the subject be necessary, to report by bill or otherwise.

Resolved, That said Treaty or compact be printed and appended to the acts of this General Assembly.

Resolved. That a select committee be appointed to take into consideration the county revenue laws, and the expediency of revising, condensing and placing the same in one view, and report by bill or otherwise.

Mr. Bradford, the following:

Resolved, That the committee on the judiciary be instructed to enquire into the expediency of so organizing the judiciary that the judges of the circuit courts hold three terms annually in each county; one equity and two law terms.

And that the supreme court be composed of three [judges] only, and be an appellate court, and sit at three or more places annually.

According to a rule of the senate, said resolutions lie one day upon the table.

The Speaker appointed the following committees, on the resolution of Mr. Green of Roane, referring so much of the Governor's message as relates to the criminal jurisprudence of the state.—

Mr. Green of Roane, Mr. McMeans, Mr. Rucker and Mr. Garrett.

On Mr. Reynolds' resolution to contract for job printing:—

Mr. Reynolds and Mr. Cain.

On Mr. Williams' resolution to regulate the compensation to be allowed for printing the Acts and Journals of the state,

Mr. Williams and Mr. Walker.

A message from the House of Representatives by Mr. Campbell their clerk.

Mr. SPEAKER;

The House of Representatives have received and read, the report of the "President of the Bank of the State of Tennessee," and directed the same to be delivered to the senate for their consideration.

They *concur* in your resolution that Robt. L. Cobbs, Esq. be requested to report what progress has been made in revising the laws of the state;

And *non-concur* in your resolution to appoint a joint committee to report what compensation shall be allowed for printing the Acts and Journals.

And then he withdrew.

On motion of Mr. Williams.

Ordered, That one thousand copies of the report of the "President of the Bank of the state of Tennessee" be printed for the use of the senate.

On motion of Mr. Reynolds,

The rule of the senate requiring a report from the select committees to be made in the mornings only, was suspended to receive a report.

Mr. Reynolds, from the committee appointed to

contract for the job printing of the senate, reported, that the committee had received proposals from the several printers of this place, and, upon, examining of them they believed the proposition of Jno. S. Simpson, is the most advantageous, and beg leave to recommend the senate to accept said proposition, which was as follows:

Messrs Reynolds and Cain;

GENTLEMEN:—

I am willing to do what job printing the senate may want the present session at thirty seven and one half cents per thousand *ems* for composition and the same per token for press work. Paper to be charged at cost.

Very respectfully,

[Signed,]

JOHN S. SIMPSON.

SEPT. 20, 1827.

The senate accepted the above proposition.

A bill to provide for writs of error—and,

A bill for the establishment of separate chancery courts, and for the modification of the supreme court, and for other purposes.

Which, bills were laid upon the table on yesterday, were both taken up, read the first time and passed.

Mr. Howard introduced

A bill to amend an "act to regulate the descent of real estate, to do away entails, to make provision for widows, and to prevent frauds in the execution of last wills and testaments."

Mr. Green of F.

A bill more effectually to provide for the prosecution of offenders, and to change the mode of appointing solicitors.

Mr. Huntsman,

A bill, regulating the duty of justices of the Peace.—and

A bill to establish the 15th brigade of Tennessee militia.

M. Rucker,

A bill to make more liberal provisions for widows in certain cases—and,

A bill, to repeal all laws giving tax fees to attorneys at law.

Mr. Green of R.

A bill to extend the term of the circuit court of Roane county.

Mr Bradford,

A bill to repeal an act authorizing the sale of school lands.

Mr. Smith,

A bill to establish a Registers' office in the town of Sparta for the mountain [district.]—and,

Mr. Williams,

A bill for the relief of female debtors.

Which, bills were severally read the first time and passed.

Received from the House of Representatives

A bill giving further time for surveying lands, lying north and east of the congressional reservation line, and north of Tennessee river; allowing land to be entered at twelve and a half cents per acre.

A bill to provide for entering the vacant land in the county of Blount.

A bill for the benefit of Maclin Cross.

A bill, to alter the name of the person therein named.

A bill giving further time to those who have surveys north and east of the congressional line to obtain their grants.—and

A bill to define the liability of endorsers on promissory notes, and other instruments for the payment of money.

Which bills were severally read the first time and passed.

Received from the House of Representatives,

A bill to prevent frauds and impositions at elections.

Ordered, That Mr. Huntsman have leave to withdraw said bill for amendment.

And then the senate adjourned.

FRIDAY, SEPTEMBER 21st, 1827.

Mr. Lowry presented a petition of James Houston, of Blount county, praying compensation for provisions and ammunitions furnished the troops employed in defending the frontier at Houston's station in the year 1788.

Ordered, That said petition be referred to the committee on claims.

Mr. Smith, presented the return of the clerk of the county court of Jackson county, of the amount of taxes collected in said county for the years 1825 and 1826—Also, the return of the clerk of the Circuit Court of said County of the amount of law tax collected by him for the years 1825 and 1826.

Mr. McMeans, the returns of the Clerk of the County court of Stewart County, of the amount of Taxes collected in said County for the years 1825 and 1826—and an additional return of taxes for 1824—Also, the clerk's return of the number of captains companies and justices of the peace in said county.

Ordered, That said returns lie upon the table.

The senate took up and proceeded to the consideration of two resolutions submitted by Mr. Bradford on yesterday, requesting certain information of the "University of Nashville" the "College of East Tennessee" and the several county "Academies"—

Which, on being again read and adopted,

Ordered, That the clerk acquaint the House of Representatives therewith, and ask their concurrence therein.

The Senate then took up and proceeded to the consideration of a resolution submitted by Mr.

Huntsman on yesterday, instructing the judiciary committee to enquire into the expediency of reporting decisions of the supreme court.

The said resolution was read

Mr. Huntsman moved to amend said resolution, by instructing the committee to enquire into the propriety of "reporting and having published such decisions as have not heretofore been reported and such as may hereafter be made, and the best mode of obtaining that end."

Which amendment was agreed to and said resolution adopted.

The senate proceeded to the consideration of Mr. Bradford's resolution of yesterday, instructing the judiciary committee to enquire into the expediency of so organizing the judiciary system as to require the circuit judges to hold chancery courts in each county.

Which, on being again read, was adopted.

On motion of Mr. McMeans,

Ordered, That the resolution submitted by him on yesterday, to go into the election of a surveyor for Humphreys county, be laid upon the table till to-morrow.

On motion of Mr. Smith,

Ordered, That a resolution submitted by him on yesterday, on the subject of the county revenue laws, be laid upon the table till Monday next.

On motion of Mr. Reynolds;

Ordered, That the resolutions submitted by Mr. Smith on yesterday, calling on entry-takers, solicitors, and the "President of the bank of the state of Tennessee" for certain information; also, the resolutions on the same subject, offered by Mr. Williams on the 18th inst. and the substitute for the first of Mr. Williams' resolutions offered by Mr. Howard, on yesterday, be all laid upon the table until Monday next.

The Speaker appointed committees provided for by the resolution of yesterday.

On the committee of

Propositions and Grievances—Messrs Lowry, Gray, Garrett and Cain.

Claims—Messrs Frey, J. I. Green, Rucker and N. Green.

Land Claims—Messrs Lytle, Frey, Lowry and Walker.

Judiciary—Messrs Williams, Brown, McMeans, Howard, Rucker, Huntsman and N. Green.

Military—Messrs Reynolds, Howard, Smith, Gray and Garrett.

Banks—Messrs Huntsman, Rucker, Smith, Brown, Reynolds and Lytle.

Enrolled Bills—Messrs Brown, Williams and Walker.

Penitentiary—Messrs Bradford, Gammon, Rucker and Huntsman.

Privileges and Elections—Messrs Smith, Gray and Bradford.

Justices of the Peace—Messrs McMeans, Cain and Gammon.

On the joint committee of

Finance—Messrs Howard, Smith and Frey.

On motion of Mr. Green (of F.) Mr. Bradford was added to the committee on internal improvements.

On motion of Mr. Bradford,

The resolution submitted by Mr. Smith to appoint a committee to revise &c. the county revenue laws, and which was this morning ordered to lie upon the table till Monday next, was taken up and adopted.

Mr. Smith, Mr. Green of F., Mr. Rucker and Mr. Brown were appointed said committee.

Mr. Lytle presented the resignation of John P. Erwin, director of the Bank of the State of Tennessee,

Which was read and accepted,

Ordered, That the clerk transmit it to the House of Representatives for their acceptance.

Mr. Howard submitted the following resolution;

Resolved, That the committee on internal improvements, be instructed to enquire into the expediency of appointing, by law, a standing board of internal improvements, with leave to report by bill or otherwise.

Mr. Gammou the following;

Resolved, That the senate meet the house of representatives, in their Hall on Friday next, for the purpose of counting out the votes given for Governor at the last election—

And Mr. Smith the following;

Resolved, That a committee be appointed on so much of the Governor's message as relates to the election of electors to vote for President and Vice-President of the United States, with leave to report by bill or otherwise.

According to a rule of the senate, said resolutions lie one day upon the table.

Mr. McMeans introduced,

A bill to provide for occupants south and West of [the] congressional line;—and

Mr. Smith,

A bill more effectually to provide for holding the circuit courts in this state;

Which bills were both read the first time and passed.

Received from the House of Representatives;

A bill for the relief of Ann Young;

A bill to regulate the President and Directors of the Bank of the State;

A bill to extend the provisions of an act entitled, "an act, to amend an act, to dispose of the lands lying between the rivers Hiwassee and north of little Tennessee," passed Nov. 15th 1826;

A bill to repeal an act, entitled "an act prescribing the manner of listing lands for the payment of taxes in certain districts, and for other purposes;

A bill for the relief of Lewis Dillahunt;—and,

A bill to repeal an act, entitled "an act to prevent the sacrifice of real estate and for other purposes," passed 28th July, 1820.

Which bills were severally read the first time and passed.

A bill giving further time for those who have made surveys, North and East of the Congressional reservation line, to obtain their grants,—and

A bill for the relief of Maclin Cross;

Were both read the second time and passed.

Mr. Frey withdrew, for amendment,

A bill giving further time for surveying lands North and East of the congressional line and North of Tennessee river, allowing lands to be entered at twelve and a half cents per acre.

And then the senate adjourned.

SATURDAY, SEPTEMBER 22nd, 1827.

Mr. McMeans presented a petition of sundry citizens of the counties of Hardin and Perry, praying that some provision be made by law for the disposal of "James Island" in Tennessee river, so that it may be settled and improved.

Ordered, That said petition be referred to the committee of Propositions and Grievances.

Mr. Cain made the following report;

"The joint committee, appointed to contract for stationary for the use of the present General Assembly, have performed that duty & after diligent enquiry, the committee accepted the proposals of Robertson & Elliott to furnish the stationary necessary for the use of the present session—and beg leave to recommend the adoption of the following resolution:

Resolved, That the Clerks procure the stationary for the use of the General Assembly at the present session, from the firm of Robertson & Elliott.

Respectfully submitted,

GEO. I. CAIN, Chairman."

The said report, was read and concurred in.

D2 SENATE

Ordered, That the clerk transmit the said report to the House of Representatives and inform them thereof.

The senate proceeded to the consideration of a Resolution, submitted by Mr. Gammon on yesterday, on the subject of counting the votes for Governor; also,

A resolution submitted by Mr. Howard, instructing the committee on internal improvements; and, also;

A resolution submitted by Mr. Smith, to appoint a committee on so much of the Governor's message, as relates to the appointment of electors, to vote for President and Vice President;

Which resolutions, on being again severally read, were adopted.

The Speaker appointed Mr. Smith, Gammon and McMeans the committee on Mr. Smith's resolution.

The senate proceeded to the consideration of

A resolution submitted by Mr. McMeans on the 20th inst. proposing the election of a surveyor for the county of Humphreys.

On motion of Mr. McMeans, said resolution was amended by striking out "Thursday" and inserting *Friday* as the day of said election.

The said resolution, as amended was adopted.

Ordered, That the clerk acquaint the House of Representatives therewith, and ask their concurrence therein.

Mr. Green of R. submitted the following resolution;

Resolved, by the General Assembly of the State of Tennessee, That no member of either branch of this General Assembly, shall be eligible to the appointment, or hold any office made by this General Assembly, which would vacate his seat as a member.

According to a rule of the senate, said resolution lies one day upon the table.

A bill giving further time for those that have made surveys north and east of the congressional reservation line to obtain their grants;

A bill for the relief of female debtors;

A bill for the relief of W. G. Lyle;

A bill to authorize sheriffs to transfer certain entries;—and,

A bill concerning the Register of the Hiwassee district;

Were severally read the second time and passed.

Mr. Huntsman returned,

A bill to prevent frauds and impositions in elections, with a proposed amendment in lieu of the whole bill which was received;

The said bill, as amended was then read the first time and passed.

On motion of Mr. Bradford,

Ordered, That a bill to prevent abuses in granting writs of error, supercedeases, &c. be referred to the committee on the judiciary.

On motion of Mr. Howard,

Ordered, That, a bill concerning cost in criminal prosecutions and for other purposes, be referred to the committee on the judiciary.

Mr. Huntsman withdrew for amendment, a bill to repeal all laws heretofore passed, authorizing a change of revenue in criminal cases;

A bill, directing the mode of surveying occupant entries in the western district;

A bill for the relief of poor defendants;

Mr. Green (of F.)

A bill, more effectually to provide for the prosecution of offenders and to change the mode of appointing solicitors—and,

Mr. Howard,

A bill to repeal an act passed 26th Oct. 1821, entitled "an act to help and speed poor persons in obtaining their just rights;

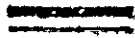
A bill to establish a Register's office in the town of Sparta, for the mountain district;

Was read the second time and passed.

A bill to amend an act, concerning old titles to land, and for limitation of actions and for avoiding suits at Law,

Was read the second time, and some time spent in the consideration thereof.

And then the senate adjourned.



MONDAY, SEPTEMBER 24th, 1827.

The senate took up and proceeded to the consideration of a resolution submitted by Mr. Green of R. on Saturday, to prohibit members of the General Assembly from accepting offices created by the Legislature;

Which was again read;

On motion of Mr. Bradford,

Ordered, That said resolution lie upon the table till Saturday next for consideration.

The senate then took up and proceeded to consider the resolutions of Mr. Williams and Mr. Smith, and the resolutions of Mr. Howard, offered as a substitute for the first of Mr. Williams' resolutions, which was on Friday last, laid upon the table till to day.

The said resolutions were again read.

Mr. Green of E. submitted the following resolutions, as a substitute for the whole of said resolutions:

Resolved, That the President of the Bank of the State of Tennessee, Report what amount of monies set apart for common schools, has been received by the said Bank, and by whom paid, and that he report, to what amount the duplicate receipts taken by the entry takers from Bank agents and forwarded to the principal Bank exhibit such Bank agents in default, and to what particular amount each of such defaulters are in arrears

Resolved, That all the Bank agents in this state,

north and east of the congressional reservation line, *Report* the amount of monies paid to them by the several entry-takers and what amount is yet in the hands of such Bank agent.

Resolved, That each of said entry-takers *Report* what amount of monies he may have received for entries, and what amount by his predecessor or predecessors in office, so far as he may know, and how far the said monies have been paid out in pursuance of law.

Resolved, That each of the county court clerks, north and east of the congressional reservation line, *Report*, whether settlements have been made with the entry-takers as by law directed, and if so, what is the state of the account of such entry taker.

The said resolutions was read, when,

On motion of Mr. Bradford, it was

Ordered, That the original resolutions, under consideration, submitted by Mr. Williams and Mr. Smith, together with the substitutes submitted by Mr. Howard and Mr. Green of F. be referred to the Committee on Education and common Schools.

Mr. Huntsman submitted the following resolution;

Resolved, That the Treasurer of East Tennessee *Report*, forthwith, to the General Assembly, as far as may be in his power, the amount of monies paid out of the Treasury on account of the change of venue, since the state Treasury has been liable to pay cost, &c.

On motion of Mr. Huntsman, the rule of the senate requiring resolutions to lie one day upon the table was suspended, and said resolution adopted.

Ordered, That the clerk, acquaint the House of Representatives therewith, and ask their concurrence therein.

Mr. Bradford, submitted the following resolution;

Resolved, That the committee on "Education and Common Schools," be instructed to enquire into the expediency of passing a law requiring the clerks of the different county courts in this state to make out a list of the lands subject to taxation for the use of common schools, which may have been heretofore listed for taxation in each of said counties, and deliver the same to the respective county agents.

Mr. Green of R. the following;

Resolved, That the senate meet the House of Representatives in their Hall on Thursday next for the purpose of electing a senator in the congress of the United States for six years, commencing on the 4th of March, 1829.

Mr. Williams, the following;

Resolved, That the committee on "Internal Improvements" enquire into the expediency of employing, for the state, a skilful engineer—and,

Mr. McMeans, the following:

Resolved, That the committees of the House of Representatives and of the Senate on the "Judiciary and Penitentiary" be joint committees.

According to a rule of the senate, said resolutions lies one day upon the table.

Mr. Howard, who had withdrawn for amendment

A bill to repeal an act passed Oct. 21st, 1821, entitled "an act to help and speed poor persons in obtaining their just rights,"

Returned the same with a proposed amendment in lieu of the whole bill, which amendment provided, that where any suits shall be instituted under said act, and not successfully prosecuted, the person instituting such suit shall be liable for cost as in other cases.

The said amendment was received, and the title of said bill altered to read;

"A bill to amend an act, entitled 'an act, providing a method to help and speed poor persons in obtaining their just rights.'"

On motion of Mr. Garrett,

Ordered, That said bill be laid upon the table till Wednesday next.

Mr. Green of F. who had withdrawn for amendment,

A bill more effectually to provide for the prosecution of offenders, and to change the mode of appointing solicitors and for other purposes,

Returned the same, with an amendment in lieu of the whole bill.

The said amendment was read and accepted.

On motion of Mr. Reynolds,

Ordered, That said bill be referred to the judiciary committee.

Mr. Huntsman returned

A bill to repeal all laws heretofore passed, authorising a change of venue in criminal cases—with an amendment;

Which was read and accepted.

Ordered, That said bill be laid upon the table for further consideration.

Mr. Huntsman, returned

A bill directing the mode of surveying occupant entries in the western district,—with an amendment, which was read and accepted.

Ordered, That said bill lie upon the table for further consideration.

A message from the House of representatives by Mr. Campbell their clerk.

MR. SPEAKER;

The House of Representatives have received, and read a report with its accompanying documents, from Hugh L. White, as agent of the state on the subject of Indian reservations—and directed the same to be transmitted to the senate for their consideration.

They concur in your resolution [to] count the votes for Governor, and elect a surveyor for Humphreys county on Friday next—and have adopted

a resolution to elect a public printer on the same day, in which they ask your concurrence.

And then he withdrew.

The resolution, from the House of Representatives proposing to elect a public printer on Friday was read and non-concurred in.

Ordered, That the clerk acquaint the House of Representatives therewith.

The report of Hugh L. White on the subject of suits brought by Indian reserves against purchasers at the Hiwassee land sales, was read at the clerks table—when

Mr. Green of R. submitted the following resolution;

Resolved, That a select committee to consist of five members, be appointed, to whom shall be referred the report and documents of Hugh L. White, relative to Indian reservations; also, all other documents on the same subject which may be presented to the senate.

On motion of Mr. Green of F.

The rule of the senate requiring resolutions to lie one day upon the table, was suspended, and said resolution adopted.

Mr. Green (of R.) Williams, Green of F. Brown and Walker—were appointed said committee.

On motion of Mr. Garrett,

The Speaker appointed the following committee as select, on Mr. Williams's resolution on the compensation, to be allowed for printing the laws and journals:

Mr. Williams, Mr. Bradford and Mr. Smith.

Mr. Green of F. introduced,

A bill for the relief of Bradford and Decker,

Mr. Lytle,

A bill concerning the town constable and clerk of the market for the corporation of Nashville.

Mr. Rucker,

A bill allowing twelve and one half per cent on judgment affirmed on certiorari;—and

Mr. Howard,

A bill for [the] modification of the supreme court and to abolish the present system of chancery courts.

Which bills were severally read a first time and passed.

Mr. Frey returned,

A bill giving further time for surveying lands lying North and East of the congressional reservation line, allowing lands to be entered at twelve and one half cents per acre, with an amendment;

Ordered, That said bill and amendment lie upon the table.

On motion of Mr. Walker,

Ordered, That Mr. McMeans have leave of absence till Saturday next;

And then the Senate adjourned.

TUESDAY, SEPTEMBER 25th, 1827.

The Senate, took [up] a resolution, submitted by Mr. McMeans on yesterday, proposing to the house of representatives to make the select committees on the judiciary and penitentiary, joint committees; which was again read;—when,

On motion of Mr. Brown,

Ordered, That said resolution be laid upon the table indefinitely;—

The senate then took up a resolution submitted by Mr. Bradford on yesterday, instructive to the committee on education and common schools, and a resolution submitted by Mr. Williams on yesterday instructive to the committee on internal improvements;

Which resolutions, on being again read, were severally adopted.

The senate then took up a resolution submitted by Mr. Green, of R. on yesterday, proposing to

elect a Senator in Congress on Thursday next, which was read;

Mr. Howard moved to amend said resolution by adding thereto the following preamble;

"Whereas, The present is the last regular session of the General Assembly, before the expiration of the present term of service of the Hon. Hugh L. White, in the senate of the United States,

And whereas, This General Assembly, believe nothing should be left undone, which might render a called session necessary—Therefore;"

The said amendment, on being read, was adopted;

On motion of Mr. Huntsman,

Ordered, That said preamble and resolution be laid upon the table till the afternoon.

A message from the House of Representatives, by Mr. Campbell, their clerk,

Mr. SPEAKER;

The House of Representatives have received and read a report of Robert L. Cobbs, Esq. made in obedience to a joint resolution of the General Assembly, on the progress made in the revision of the statutes of this state—also, a report of the President and Cashier of the Nashville Bank; of its state and condition—and have adopted the following resolution, in which they ask your concurrence:

Resolved, by the General Assembly of the State of Tennessee, That Robert Norrton, Robert Brasbears, Thomas Kees, Philip Chronister, Michael Layton, Lemuel Blythe, Enock Tucker, William S. Duncan and George Kerton, be, and they are hereby appointed Justices of the Peace for the county of Lawrence.

They concur, in your resolution, calling on the Treasurer of East Tennessee for certain information as to the amount of money paid out of the Treasury in criminal cases on a change of venue;

And then he withdrew.

On motion of Mr. Walker,

The resolution from the House of Representatives appointing Justices of the Peace for the county of Lawrence,

Was read and concurred in;

Ordered, That the clerk acquaint the House of Representatives.

On motion of Mr. Bradford,

Ordered, That 1000 copies of the report of the President and Cashier of the Nashville Bank, be printed for the use of the members of the Senate.

Mr. Brown, laid upon the table the following preambles and resolutions;

Whereas, Robert L. Cobbs, Esq. appointed with the late Judge Haywood, to revise the laws of this state, has reported to this General Assembly that said work will be completed during the present session—and *Whereas*, the speedy publication and distribution of such work, if well executed, is of great importance to the good people of this state—Therefore,

Resolved, That a joint select committee (of two of the Senate and four of the House of Representatives) be appointed, to examine said revision so soon as completed, and report the plan of said work, the manner of its execution; the probable size and cost of its publication, and the plan, in their opinion, of distributing said revision, which would best promote the interest of the community.

Whereas, The General Assembly of the State of Alabama, at its last session, incorporated a company for removing the obstructions to navigation in the Muscle Shoals of Tennessee river, and in the act of incorporation, provided that the State of Tennessee might subscribe for any number of shares not exceeding one thousand—Therefore;

Resolved, That the committee on internal im

provements be instructed to enquire, whether such company has been formed, or is likely to be formed, in pursuance of said act, and if so, whether it is expedient for this state to subscribe any stock therein, and if any, how much, and that said committee report by bill or otherwise

Mr. Garrett, laid upon the table the following resolution:

Resolved, That a select committee be appointed to be denominated "a committee on Divorces."

The Senate took up

A bill giving further time of surveying lands lying North and East of the congressional reservation line, allowing lands to be entered at twelve and a half cents per acre, which was returned by Mr. Frey on yesterday, together with an amendment.

The said amendment was read and adopted.—

And said bill, as amended, was then read the second time and passed.

Mr. Gray introduced

A bill for the relief of Daniel Carter or his rightful assignee.

Mr. Rucker,

A bill to divorce Mary Martin from her husband Samuel N. Martin.

Mr. Brown,

A bill concerning fines forfeitures and penalties, expressed in pounds, shillings and pence, in some of the old statutes in force in this state.

Mr. Gammon,

A bill to authorise the Sheriff of Hawkins county to appoint additional deputies—and

Mr. Gray,

A bill to compel clerks of county courts to reside in the counties in which they hold clerkships—which bills were severally read a first time and passed.

A bill concerning the town constable and clerk of the market for the corporation of Nashville,

Was read a second time and passed.

A bill to establish a Register's Office in the town of Sparta, for the mountain district,

Was read a third time and passed.

Mr. Huntsman, returned

A bill for the benefit of poor defendants—With an amendment which was adopted;

Ordered, That said bill lie upon the table.

Mr. Smith, withdrew for amendment,

A bill for the modification of the supreme court, and to abolish the present system of chancery courts.

The Senate again resumed the consideration of the resolution, which was under consideration this morning, proposing to go into the election of a Senator in the Congress of the United States on Thursday next.—

And the question thereon was taken;

“Will the Senate adopt said resolution?”

And determined in the affirmative;

There being

AYES—17

NOES—2

The Ayes and Noes being required—

Those who voted in the affirmative are,

Messrs Speaker Hall, Brown, Cain, Frey, Gammon, Garrett, Gray, Green, of F. Green, of R. Howard, Huntsman, Lowry, Lytle, Reynolds, Rucker, Smith and Walker—17.

Those who voted in the negative are,

Messrs Bradford and Williams—2.

And so said resolution was adopted;

Ordered, That the clerk acquaint the House of Representatives therewith and ask their concurrence therein—

Mr. Huntsman, laid upon the table the following resolution:

Resolved. That the following amendment be proposed to the respective states, as an amendment to the constitution of the United States, and if adopted by a competent number of the states of the union, it

shall become a part of the Federal Constitution.—
 If it shall so happen, that the term of service of any Senator in the Congress of the United States shall expire during the recess of the Legislature of the state to which he may belong, it shall be the duty of the executive of said state, to make a *pro tem.* appointment of Senator until the next session of the Legislature of such state—

And then the Senate adjourned.

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WEDNESDAY, SEPTEMBER 26th, 1827.

Mr. Bradford, presented the returns of the clerks of the circuit and county courts of Bedford county of the amount of taxes collected in said county for the years of 1825 and 1826—also, a return of the number of captains companies and Justices of the Peace for said county—and

Mr. Walker presented the return of the clerk of the circuit court of Stewart county of the amount of law tax collected in said county for the years 1825 and 1826.

Ordered, That said returns be refered to the joint committee of Finance.

A resolution, laid upon the table on yesterday by Mr. Garret, proposing the appointment of a committee on divorces—

Was read and adopted.

A resolution, laid upon the table on yesterday by Mr. Brown, instructing the committee on internal improvements to enquire into the expediency of this state subscribing for stock in the company incorporated by the state of Alabama for removing obstructions to navigation in the Muscle Shoals—

~~Was taken up,~~ read and adopted.

A resolution, laid upon the table on yesterday by Mr. Brown, proposing the appointment of a joint select committee, on the revival of the laws of the state—

Was taken up, read and adopted,

Ordered, That the clerk acquaint the House of Representatives therewith and ask their concurrence therein,

A resolution, laid upon the table on yesterday by Mr. Huntsman, proposing an amendment to the constitution of the United States, was taken up and read—

On motion of Mr. Howard,

Ordered, That said resolution be laid upon the table till Monday next.

A message from the House of Representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER,

The House of Representatives have passed a resolution "That a select committee be appointed to act with such committee as the Senate may think proper to appoint, to suggest and report, such necessary ceremonies as should be observed in the approaching inauguration of the Governor elect of this state."

They have also passed a resolution appointing Alpha Kingsley, a Notary Public for the county of Davidson.

They have received and accepted the resignation of Wm. Byers, a Justice of the Peace for the county of Williamson—

And then he withdrew.

The resolution from the House of Representatives, to appoint a committee on the inauguration of the Governor elect, and the resolution appointing Alpha Kingsley a Notary Public—

Were both read and concurred in.

Ordered, That the clerk acquaint the House of Representatives therewith.

The resignation of Wm. Byers, a Justice of the Peace for Williamson county, was read and accepted.

Mr. Brown introduced

A bill authorising letters of administration, &c.

to be granted by clerks of the county courts out of term time in certain cases.

Mr. Rucker,

A bill to regulate the practice of attornies and to expedite business in the courts of this state,

Mr. Cain,

A bill to regulate the duty of Justices of the Peace in certain cases—and **Mr. Howard,**

A bill for the relief of Jacob Howard,

Which bills were severally read a first time and passed.

A bill to amend an act, entitled an act to help and speed poor persons in obtaining their just rights, which had been laid upon the table until to day, was taken up, read the second time and passed.

An engrossed bill from the House of Representatives, entitled a bill giving further time for those that have made surveys North and East of the congressional reservation line, to obtain their grants—

Was read a third and last time passed, and

Ordered, to be enrolled.

Received from the House of Representatives,

A bill authorizing the persons therein named to build fish traps across the north sluice of Cumberland river.

A bill to alter the times of holding the county courts of Greene county.

A bill more effectually to enable just creditors to collect their just debts and for other purposes;

A bill to reduce constables fees;

A bill to establish toll Bridges over Forked Deer and Hatchie rivers;

A bill supplemental to an act, entitled an act to authorize the drawing of a Lottery to open and make navigable ~~Bequahee~~ **Bequahee** river;

A bill to extend the corporation of the Town of Fayetteville;

A bill to legalize the official acts of the persons therein named;

A bill for the relief of the widow and heirs of James Sisk, deceased;

A bill to secure the maintainance of illegitimate children;

A bill to alter and regulate the proceedings upon writs of enquiry—and,

A bill giving further time for recording and registering grants, deeds of conveyance and for other purposes;

Which bills were severally read a first time and passed.

A bill for the relief of Bradford and Deckerd,

Was read a second time and passed.

Received from the House of Representatives,

A bill to repeal an act, entitled an act to confirm and make good all grants, issued by the state of N Carolina on entries and warrants made west of Brown's line, passed Dec. 1826,

Which bill was read a first time—

On motion of Mr. Williams,

Ordered, That said bill be referred to the committee on land claims,

On motion of Mr. Bradford,

Ordered, That

A bill to repeal all laws authorizing the sale of school lands, be made the order of the day for Wednesday next—

And then the Senate adjourned.



THURSDAY, SEPTEMBER 27th, 1827.

Mr. Williams, from the Judiciary committee to which was referred

A bill more effectually to provide for the prosecution of offenders, and to change the mode of appointing Solicitors, and for other purposes, reported the same with an amendment, that proposed striking out the third section, which provided

for the election of county Solicitors by the county courts, and inserting a section in lieu thereof providing for the election of those officers by the Legislature—The said amendment was read and concurred in—

On motion of Mr. Williams—

Ordered, That said bill, as amended, be laid up on the table and made the order of the day for Tuesday next.

Mr. Williams, from the same committee, to which was referred,

A bill concerning cost in criminal prosecutions, and for other purposes, reported the same without amendment,

Ordered, That said bill be laid upon the table indefinitely.

Received from the House of Representatives

A bill authorizing persons at whose houses elections and musters are held, to retail spirituous liquors;

A bill appointing additional commissioners for the town of Philadelphia, in the county of Monroe;

A bill to provide for the transfer or assignment of plats and certificates or improvements, made south and west of the congressional reservation line;

A bill to establish a Medical Society in the state of Tennessee;

A bill for the relief of holders of county claims;

A bill authorizing the persons therein named to raise \$100,000 for the purpose of improving the navigation of the Cumberland river—and

A bill to amend an act, entitled an act to provide for the appointment of public printers, passed 26th Oct. 1807—

Which bills, were severally read a first time and passed.

A message from the House of Representatives, by Mr. Campbell, their clerk,

Mr. SPEAKER;

The House of Representatives concur

in your resolution, calling on the University of Nashville, the College of East Tennessee and the several county Academies, for certain information—also, in your resolution to go into an election this day at 11 o'clock of a Senator in the Congress of the United States for six years commencing on the 4th of March, 1829;

And then he withdrew.

A bill concerning the town constable and clerk of the market of the corporation of Nashville,

Was read a third time and passed.

Mr Lowry, withdrew for amendment,

A bill for the relief of Peter Brakebill—and,
Mr. Huntsman,

A bill for the establishment of chancery courts and for the modification of the supreme court and for other purposes.

The hour having arrived as appointed by joint resolution, of both branches of the General Assembly for going into the election of a Senator in the Congress of the United States, the Speaker and gentlemen of the Senate, repaired to the hall of the House of Representatives, and were invited to seats within the hall;

Whereupon, the two Houses proceeded by joint ballot to the election of a Senator in Congress, and upon collecting and counting out the ballots the tellers reported that HUGH L. WHITE, had received fifty seven votes, the whole number given in—The Speaker of the Senate, then declared, in presence of both branches of the General Assembly, that HUGH L. WHITE, was duly and constitutionally elected a Senator in the Congress of the United States from the State of Tennessee, for six years, commencing on the fourth day of March, in the year of our Lord, one thousand eight hundred and twenty nine;

On motion, the Speaker and gentlemen of the Senate, returned to their own chamber and the Speaker resumed the chair;

A bill to repeal an act, entitled an act prescribing the manner of listing lands for the payment of taxes in certain districts and for other purposes;

A bill for the relief of Ann Young—and

A bill to establish a Treasury Department in the Western District,

Were severally read a second time and passed.

Mr. Garrett, introduced,

A bill to reduce the price of printing the laws and journals of the Legislature of Tennessee;

On motion of Mr. Bradford,

Ordered, That said bill be referred to the committee on public printing.

Received from the House of Representatives,

A bill for the relief of Benjamin Bond;

Which was read a first time;

On motion of Lowry,

Ordered, That said bill, be referred to the committee on Indian reservations,

And then the Senate adjourned.



FRIDAY, SEPTEMBER 28th, 1827.

Mr. Williams presented a petition of sundry citizens of Anderson county, praying the establishment of a Turnpike road from Martin's, in the Walnut Cove, to the Kentucky line,

Ordered, That said petition be referred to the committee on internal improvements.

Mr. Williams also presented the return of the clerk of the county court of Anderson, of the amount of taxes, collected in said county for the years 1825 and 1826;

Ordered, That said return be referred to the committee on Finance.

Mr. Frey, presented the returns of the clerk of Robertson county, of the amount of taxes collected in said county for the years 1825 and 1826—

also, the clerks return of the number of resignations of Justices of the Peace in said county, since the last session of the General Assembly.

Ordered, That the clerks returns of taxes be referred to the committee of Finance, and the return of resignations of Justices of the Peace, to the committee on captains companies and Justices of the Peace.

Mr. Brown, from the committee on enrolled bills reported, that they had examined and found to be truly enrolled;

An act giving further time for those that have made surveys North and East of the congressional reservation line, to obtain their grants--and

A Resolution, requiring certain information from the University of Nashville, the college of East Tennessee and the several county academies--

The Speaker, signed said enrolled bill and resolution ;

Ordered, That the clerk transmit them to the House of Representatives to receive the signature of their Speaker.

Mr. Reynolds, from the select committee to which was referred the duty of suggesting and reporting such ceremonies, as should be directed on the occasion of the approaching inauguration of the Governor elect--

REPORTS;

That the ceremonies be performed in the Baptist church, that both branches of the General Assembly, at the hour of eleven o'clock, A. M. move in procession from the representative hall to the church; the senate in front, preceded by their speaker and clerks, and the house of representatives preceded by their speaker and clerks: That the clergy, Judges of the supreme court who may be in the city, be invited to seats within the bar; that the ceremonies be opened by a prayer by the Rev. Philip Lindsley and concluded in the same

F SENATE

solemn manner by the Rev. Mr. Fall, and that a joint select committee be appointed to execute the above ceremonies;

All which is respectfully submitted,

BEN. REYNOLDS, Chairman.

The above report, was read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

Mr. Smith returned

A bill for the modification of the supreme court, and to abolish the present system of chancery courts, with three amendatory sections, which were read and adopted.

On motion of Mr. Green, of F.

Ordered, That said bill be referred to the Judiciary committee.

A bill to repeal all laws giving tax fees to attorneys at law,

Was read a second time—

Mr. Howard offered an amendment in lieu of the whole bill, which was read and adopted;

It provided that tax fees for obtaining orders of sale, shall be two dollars and fifty cents as heretofore, but that not more than five dollars shall be taxed in favor of any attorney who may make a motion in court for such orders of sale (notwithstanding there may be more than two executions returned) against the same defendant;

On motion of Mr. Howard;

Ordered, That said bill be referred to the Judiciary committee.

Mr. Walker, laid upon the table, the following resolution;

Resolved, That the Treasurers of East and West Tennessee, report, to this General Assembly what progress they have made in carrying into effect the various acts providing for the sale of school lands in this state; what number of Injunctions has been filed, and by whom, and what is the situation of the

suits, and such other information as they may possess—and

Mr. Williams, the following;

Resolved, That the committee on Finance, be directed to enquire into the expediency of appropriating a part of the interest accruing from the funds of the new state bank, towards defraying the expences of the state government, and that said committee report by bill or otherwise—and,

Mr. Huntsman the following;

Resolved, That the senate meet the House of Representatives in their hall on Tuesday next, for the purpose of electing a President and Directors of the bank of the state of Tennessee, and a solicitor general for the sixth solicitorial district.

A message from the House of Representatives by Mr. Campbell, their clerk;

MR. SPEAKER;

The House of Representatives have adopted a resolution, to go into the election of a secretary of state on Tuesday next, and ask your concurrence therein—

And then he withdrew.

Ordered, That said resolution lie upon the table till to-morrow.—

The hour having arrived, as appointed by joint resolution, for counting out the votes given for Governor at the last election; the speaker and gentlemen of the senate, repaired to the hall of the House of Representatives, and were seated within the bar of the House; when the Speaker of the senate, opened and published, to a quorum of both branches of the General Assembly, the returns made to him in conformity with the constitution of the state, of the number of votes given for Governor at the last electing [election,] and upon adding the same together, it appeared that Gen. SAMUEL HOUSTON, of the county of Davidson, had received a higher number of votes than any other candidate

—Whereupon, the Speaker of the senate declared, in presence of both branches of the General Assembly, that Gen. SAMUEL HOUSTON, was duly and constitutionally elected Governor in and over the state of Tennessee, for the two years next ensuing.

On motion,

The Speaker and gentlemen of the Senate returned to their own chamber and the Speaker resumed the chair.

A bill to alter the names of the persons therein named,

Was read a second time and passed.

A bill for the relief of Bradford and Deckerd,
—and

A bill for the relief of female debtors,

Were both read a third time and passed.

Mr. Lowry returned

A bill for the relief of Peter Brakebill, with an amendment;

Which was read and adopted.

On motion of Mr. Green, of F.

Ordered, That said bill be referred to the committee on claims.

Mr. Rucker withdrew for an amendment,

A bill to make more liberal provisions for Widows in certain cases.

A bill concerning the Register of the Hiwassee district;

Was read a third time and passed.

And then the Senate adjourned.

SATURDAY, SEPTEMBER 29th, 1827.

Mr. Huntsman presented the return of the clerk of the county court of Tipton county, of the amount of taxes collected in said county for the years 1825 and 1826.

Ordered, That said return be referred to the committee of Finance.

Mr. Howard presented a petition from citizens of East Tennessee, on the practicability of a rail road to connect the waters of Hiwassee and Coosa.

Ordered; That said Petition be referred to the committee on Internal Improvements.

Mr. Howard also, presented a printed Memorial of the citizens south of French Broad and Holston, praying the Legislature to examine critically, into the nature and history of the claim against them and grant them such relief as the justness of their case requires;

Ordered, That said memorial lie upon the table;

Mr. Reynolds presented a petition of sundry citizens of Maury county praying that Ephram Brown be allowed to retail spirituous liquors without paying tax therefor in said county.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Howard from the joint committee of Finance, made the following report;

The committee of finance, in settling with Matthew Nelson, Treasurer of East Tennessee, beg leave to report,

That on examination of the revenue accounts for the years 1825 and 1826, after deducting clerks, sheriffs and Treasurers Commissions, they find him chargeable with the sum of thirty-six thousand three hundred and twenty-six dollars and one half cent, \$36,326 00 1-2; including the sum of four thousand two hundred dollars, the amount of dividend, due the state on account of the state bank stock in the state bank at Knoxville, from the 30th June, 1823, to the 30th June 1827—

Also; including the sum of seven hundred and sixty one dollars three and one half cents, by him received on account of delinquent clerks, and

sheriffs against whom judgments were taken and with which said Treasurer was chargeable as appears by the Journals of 1825—

Also, including thirty-six dollars interest on Samuels McConnells bond;

Also; including two hundred and sixty-eight dollars, amount received on account of deficiencies in returns of clerks for the years 1822, 1823, 1824 and 1825, making in the whole the

sum of \$36,326 00 1-2

The said Treasurer has paid, taken up and produced to your committee, warrants, drafts and claims, chargeable upon the revenue, amounting to twenty four thousand eight hundred and thirty-six dollars and eighty five and one fourth cents,

\$24,836 85 1-4

Also; the receipt of Thomas Crutcher, Treasurer of West Tennessee, for the sum of eleven thousand four hundred and eighty nine dollars fifteen and one fourth cents,

\$11,489 15 1-4

\$36,326 00 1-2

Your committee further find and report, that there is in the hands of the said Treasurer, the following judgments, uncollected; (to wit.)

A judgment against James Jennings, sheriff of Cocke county, for part of the return with which he is chargeable, for the year 1825, for the sum of one hundred and eighteen dollars, sixty eight and three fourth cents;

And one other judgment against said James Jennings, sheriff of Cocke county, for the amount of the return for which he is chargeable for the year 1826, for the sum of two hundred and ninety one dollars ten and one half cents;

A judgment against Charles Massey, late sheriff of Campbell county, for the year 1825, for the sum of two hundred and fifty two dollars ten and one half cents;

And one other judgment against said Charles Massey, late sheriff of Campbell county, for the year 1826, for the sum of two hundred and fifty one dollars thirty one and three fourth cents;

A judgment against James McClintock, late sheriff of Morgan county, for the sum of one hundred and nine dollars forty four and three fourth cents;

A judgment against the sheriff of Carter county, for the sum of one hundred and twenty eight dollars;

A judgment against Young Colville, late clerk of the county court of McMinn county, for the sum of five hundred and ninety five dollars thirty five and one half cents;

A judgment against William Garrett, clerk of Cocke county court, for failing to make return of and paying over the amount by him collected for the year 1826.

Your committee further find and report; that they find said Treasurer chargeable with the following sums received on account of lands south of French Broad and Holston rivers, for the use of Colleges and Academies;

To forty two thousand nine hundred and twelve dollars sixty six and one fourth cents on hand at last settlement, \$42,912 76 1-4

To twenty two thousand three hundred and twenty three dollars thirty eight and one fourth cents received from the 5th Sept. 1825 to 5th Sept. 1827;

\$22,323 38 1-4

Including principal and interest received on bonds, making in the whole, the sum of sixty five

thousand two hundred and thirty
six dollars fourteen and one fourth ~~cents~~
cents. \$65,236 14 1-2

The said Treasurer produced to your committee,
receipts and vouchers, from which it appears, that
he has paid out and appropriated, agreeably to
law, the sum of thirty nine thousand five hundred
seventy two dollars and sixty five and one half
cents \$39,572 65 1-2

Leaving in the hands of said
Treasurer, for the use of East
Tennessee academies, the sum
of twenty five thousand, six hun-
dred sixty three dollars and for-
ty nine and one fourth cents, \$25,663 49 1-4

\$65,236 14 1-2

Which sum of twenty five thousand six hundred
sixty three dollars and forty nine cents has been
deposited in the branch of the bank of the state of
Tennessee at Knoxville, as appears by the certifi-
cate of the cashier of said branch bank.

Your committee further find and report,

That they find said Treasurer chargeable with
the sum of sixty three thousand thirty dollars and
thirteen and one fourth cents, received from the
5th September 1825, to the 11th September 1827,
on account of lands in the Hiwassee district, which
were sold by the state in the year 1820, which
sum of sixty three thousand thirty dollars and
thirteen and one fourth cents, includes the amount
paid by Wm. Morrison, the heirs of David Miller,
Andrew Cowan and Moses Humphries paid by
them agreeably to special acts of Assembly, which
sum of sixty three thousand thirty dollars and thir-
teen and one fourth cents, has been deposited in
the branch bank of the state of Tennessee at
Knoxville, as appears by the certificate of the
cashier of said branch bank.

Your committee further find and report,

That they [find] said treasurer chargeable with the sum of thirteen thousand one hundred and forty dollars, received of the entry taker of the Hiwassee district, which sum of thirteen thousand one hundred and forty dollars, has been deposited in the branch of the bank of the state of Tennessee at Knoxville, as appears by the certificate of the cashier of said branch bank.

All which is respectfully submitted.

T. A. HOWARD,

Chairman Comm. Finance.

The said report was read at the clerks table, and

Ordered, To be sent to the House of Representatives for their consideration;

On motion of Mr. Howard,

Ordered, That one thousand copies of said report be printed for the use of the members of the senate.

The senate took up and proceeded to the consideration of

A resolution laid upon the table on yesterday by Mr. Williams, instructive to the committee of Finance; which, on being read, was adopted.

A resolution laid upon the table on yesterday by Mr. Walker, calling on the treasurer of east and west Tennessee for certain information,

Was taken up, read and adopted.

On motion of Mr. Howard,

Ordered, That the resolution laid upon the table by Mr. Greene, of R. disqualifying members of the Legislature from accepting offices created by the legislature whilst they are members, and which had been made the order of this day, was made the order of the day for Monday next.

A resolution laid upon the table on yesterday by Mr. Huntsman, proposing the election of the President and directors of the bank of the state of Tennessee, was

Ordered, To lie upon the table indefinitely.

A resolution received from the House of Representatives on yesterday, proposing to go into the election of a Secretary of state on Tuesday next,

Was taken up, read and concurred in;

Ordered, That the clerk acquaint the House of Representatives therewith.

Mr. Williams laid upon the table the following resolution.

Resolved, That the judiciary committee be instructed to enquire into the expediency of providing by law, for the punishment of sheriffs who may fail or neglect to make return of the elections of Governor, as directed by the constitution.

A message from the House of Representatives, by Mr. Campbell, their clerk;

MR. SPEAKER;

The House of Representatives have adopted the following resolutions;

Resolved, That Robert L. Cobbs, Esq. be, and he is, hereby requested to prepare a Glossary to be placed either at the beginning or end of each volume of the revised laws of this state, explaining all technical terms and difficult words used in our statutes.

They concur in your resolution to appoint a committee to examine the revisal of the laws of this state; and propose the following amendment thereto; in which they ask your concurrence;

"That Henry Crabb and John Catron, two of the Judges of the supreme court, in conjunction with the committee, examine the revisal, and report to this General Assembly the result of such examination, and their opinion thereon, with any amendments they may think advisable to make"—Mr. Campbell and Mr. Boddie are appointed said committee on their part.

They have taken up on its third and last reading,

A bill establishing a register's office in the town of Sparta, and propose amending the same by striking out all the last section after the word "however" and insert in lieu thereof the amendment herewith transmitted, in which they ask your concurrence;

They have also adopted

A resolution to go into the election of treasurer for east Tennessee on Tuesday, and also ask your concurrence therein;

And then he withdrew.

The amendment proposed by the House of Representatives to the bill establishing a registers office in Sparta, was read and concurred in.

The resolution from the house of representatives, proposing to go into the election of treasurer of east Tennessee on Tuesday next,

Was read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

The amendment from the house of representatives to the senate's resolution, to appoint a committee to examine the revisal of the laws, proposing to associate Henry Crabb and John Catron Esqr's. with said committee in said examination;

Was read and non-concurred in.

Ordered, That the clerk acquaint the house of representatives therewith.

Ordered, That the resolution from the house of representatives, requesting R. L. Cobbs, Esq. to prepare a Glossary, &c. be laid upon the table till Monday.

Mr. Rucker, who had withdrawn for amendment,

A bill to make more liberal provision for widows in certain cases, returned the same with an amendment in lieu of the whole bill, which was read and adopted;

The said bill was then passed a second time.

Mr. Huntsman withdrew for amendment,
A bill to establish toll bridges over Forked
Deer and Hatchie rivers.

Received from the house of representatives,
A bill for the relief of Mary Evans;
On motion of Mr. Smith,
Ordered,, That said bill be referred to the com-
mittee of Propositions and Grievances.

On motion of Mr. Howard,
Ordered, That
“A bill to regulate the duties of justices of the
peace in certain cases,” be referred to the Judi-
ciary committee.

The Speaker appointed Mr. Reynolds and Mr.
Howard to be of the committee to carry into effect
the ceremonies directed to be observed in the ap-
proaching inauguration of the Governor elect;
And then the senate adjourned.

MONDAY, OCTOBER 1st, 1827.

Mr. Garrett presented a petition of Frederick
Smith, of Campbell county, praying to be divorced
from his wife Nancy;

Ordered, That said petition be referred to the
committee on Divorces;

Mr. Williams presented a petition of sundry
citizens of Knox county, praying that John Shirk,
(who was convicted of petit Larceny) be restored
to his former rights and privileges as a citizen of
this state;

Ordered, That said petition be referred to the
committee of propositions and grievances.

Mr Smith, presented the return of the clerk of
the circuit court of Overton county, of the amount
of law tax collected in said county for the years
1825 and 1826;

Ordered That said return be referred to the committee of Finance.

Mr. Howard presented a statement from the treasurer of east Tennessee, of the amount of College and Academy monies received by him, and how appropriated;

Ordered, That said report lie upon the table.

Mr. Bradford, from the committee on public printing, reported

A bill to reduce the price of public printing,

Which was read a first time and passed.

A resolution, laid upon the table on Saturday by Mr. Williams, instructive to the judiciary committee, was read and adopted.

A resolution, received from the house of representatives on Saturday, requesting Robert L. Cobbs, Esq. to prepare a Glossary, &c. for the revised laws of this state, was

Ordered, To lie upon the table indefinitely.

A resolution laid upon the table by Mr. Greene, of R. disqualifying members from accepting offices, &c. and which was made, the order of this day, was

Ordered, To lie upon the table and be the order of the day for Monday next.

A resolution, laid upon the table by Mr. Huntsman, proposing an amendment to the Constitution of the United States, and which had been made the order of to day, was

Ordered, To lie upon the table and be the order of the day for Friday next.

On motion of Mr. Huntsman,

A resolution, laid upon the table by him on Friday last, proposing to go into the election of a president and directors of the bank of the state of Tennessee on to-morrow, was taken up, read and adopted;

Ordered, That the clerk acquaint the house of
G. S. S. S.

representatives therewith, and ask their concurrence therein.

Mr. M'Means laid upon the table the following resolution;

Resolved, That the senate meet the house of representatives in their hall on to-morrow, for the purpose of electing a surveyor for Humphreys county.

Mr. Bradford the following;

Resolved, That the senate meet the house of representatives in their hall on to morrow, for the purpose of electing solicitors General for the several districts in which vacancies may exist.

On motion, the rule of the senate, requiring resolutions to lie one day upon the table, was suspended, when the resolutions, laid upon the table by Mr. M'Means and Mr. Bradford, were each read and adopted.

Ordered, That the clerk acquaint the house of representatives therewith and ask their concurrence therein.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER.

The house of representatives have received, read and accepted, the resignation of Thomas J. Campbell, Esq. attorney general of the eleventh solicitorial district;

They have also received and read, a report of the president and directors of the bank of the state, respecting its internal government, &c. which I am directed to deliver to the senate;

And then he withdrew.

The resignation of Thos. J. Campbell, Esq. attorney general was read and accepted.

The report of the president and directors of the bank of the state, was read at the clerks table;

On motion of Mr. Huntsman,

Ordered, That said report be referred to the committee on banks.

The hour having arrived, as appointed for the inauguration of the Governor elect, the speaker and gentlemen of the senate, accompanied by the speaker and gentlemen of the house of representatives, moved in procession from the Masonic hall to the Baptist Church, and were seated under the directions of the committee of arrangements; when his excellency, the governor, Wm. CARROLL, and general SAM. HOUSTON, the governor elect, accompanied by the committee of arrangements, appeared and were conducted to seats previously prepared for them.

The Rev. Mr. Allen, (by request) then arose and delivered an appropriate prayer, after which his excellency, Wm. Carroll, arose and addressed the speakers and gentlemen of both branches of the General Assembly in a handsome and pathetic manner, on his retiring from the executive chair, the constitutional period for which he was eligible having expired;

Whereupon, the governor elect, Sam. Houston, arose, when an oath to support the Constitution of the United States and of the state of Tennessee, together with an oath of office, was administered to him by John Catron, Esq. one of the Judges of the supreme court of errors and appeals, in presence of both branches of the General Assembly; as also, a numerous concourse of ladies and gentlemen who attended on the occasion, and thereupon entered upon the discharge of the duties of governor of the state of Tennessee, after which a solemn prayer of thanksgiving was offered up by the Rev. Mr. Douglass—when

The governor and ex-governor, accompanied by the committee of arrangements retired, and

The speaker and gentlemen of the senate returned to their own chamber and the speaker resumed the chair,—

Mr. Green, of F. laid upon the table the following resolutions;

Resolved, That the committee on education and common schools, be instructed to examine into the expediency of setting apart the whole of the capital stock of the bank of the state for the use of schools forever; with leave to report by bill or otherwise.

Resolved, That the committee on banks, be instructed to inquire whether any reduction, and to what amount, ought to be made in the salary of the officers of the bank of the state of Tennessee; and that said committee also enquire whether additional duties ought not to be added to those already required to be performed by the president of that institution—and,

Mr. Bradford, the following;

Resolved, That the committee appointed to examine the revision of the laws, as made by Haywood and Cobbs, be instructed to report to this General Assembly, the plan upon which it is executed, together with a notice of all the laws declared by them obsolete, as well as those which were considered ambiguous, and their construction of the ambiguous parts.

Received from the house of representatives,

A bill for the relief of owners of lots in the town of Philadelphia, in the county of Monroe;

Which was read a first time and passed.

A bill to authorize the transfer of certain causes;

Was read a second time and passed.

On motion of Mr. Gammon,

Ordered, That Mr. Smith and Mr. Williams be added to the committee on internal improvements.

On motion of Mr. Bradford,

Ordered, That Mr. Green, of F. be added to the committee on education and common schools.

Mr. Greene, of R. laid upon the (table the) following resolution;

Resolved, That the senate meet the house of representatives in their hall on to-morrow, for the

purpose of electing a public printer; and in electing said printer, the legislature reserve the right to fix the price of public printing at whatever rate they may think proper.

On motion of Mr. Greene, of R.

The rule requiring resolutions to lie one day upon the table was suspended;

The said resolution was then read,

And the question was then taken,

Will the senate adopt said resolution?

And determined in the negative,

And so said resolution was not adopted.

And then the Senate adjourned.

TUESDAY, OCTOBER 2nd, 1827.

Mr. Garrett presented a petition of Elizabeth Wheelles, praying compensation for a gun pressed in the service of the United States, during the late war;

Ordered, That said petition be referred to the committee of claims.

Mr. Garrett also presented a petition of sundry citizens of east Tennessee, praying some amendments to the laws authorising the emancipation of slaves; and also, to make provision for ameliorating their condition;

Ordered, That said petition be referred to the committee of propositions and Grievances.

Mr. Greene, of R. presented a petition of John Rowark, praying the passage of a law authorising him [to] enter a certain quarter section of land in the Hiwassee district, as an occupant;

Ordered, That said petition be referred to the committee on land claims.

Mr. Lytle presented a petition of Michael C. Dun, praying compensation for expenses incurred

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in transporting John Rose, who was confined in the jail of Mero district, to Carthage, in Winchester district, in the year 1808, while he was sheriff of Davidson county;

Ordered, That said petition be referred to the committee of claims.

Mr. M'Means presented a return of the clerk of the circuit court of Humphreys county, of the amount of law tax collected in said county, for the years 1825 and 1826;

Ordered, That said return be referred to the committee of Finance.

Mr. Lytle, from the committee on land claims, to which was referred,

A bill for the relief of Daniel Carter or his right-ful assignee,

Reported the same without amendment.

On motion of Mr. Huntsman,

Ordered That said bill lie upon the table and be the order of the day for to-morrow.

A resolution laid upon the table on yesterday by Mr. Bradford, prescribing certain duties, to the committee appointed to examine the revisal of the laws of this state,

Was read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith and ask their concurrence therein.

A resolution laid upon the table on yesterday by Mr. Green, of F. prescribing certain duties to the committee on education and common schools, and a resolution prescribing certain duties to the committee on banks,

Were both read and adopted.

A bill more effectually to provide for the prosecution of offenders and to change the mode of appointing solicitors and for other purposes,

Which had been made the order of to day, was taken up on its second reading,

On motion of Mr. Brown,

The senate resolved itself into a committee of the whole on said bill, and after some time spent in the consideration thereof, the committee rose and the speaker resumed the chair—

When, Mr. Frey reported, that the committee had had said bill under consideration, and made some progress therein, and directed him to ask leave to sit again.

Ordered, That the committee of the whole on said bill, have leave to sit again.

A message from the house of representatives, by Mr. Campbell, their clerk.

Mr. SPEAKER;

The house of representatives concur in so much of your resolution as proposes to elect on to day, a surveyor for Humphreys county, and non-concur in so much thereof as proposes to go into the election of president and directors of the bank of the state of Tennessee, and solicitors for the several districts in which vacancies exist;

And then he withdrew.

The hour having arrived for going into the several elections set apart for this day, the speaker and gentlemen of the senate, repaired to the hall of the house of representatives and were seated within the hall.

Whereupon, the two houses proceeded, by joint ballot, to the election of a secretary of state, and upon collecting and counting out the ballots, the tellers reported that Mr. Daniel Graham had received thirty four votes, Mr. Wm. B. Carter, had received twenty votes, and Mr. Collin S. Tarply, had received six votes. The speaker of the senate then declared that Mr. DANIEL GRAHAM was duly and constitutionally elected *Secretary of State* for four years next ensuing.

The two houses next proceeded, by joint ballot, to the election of a treasurer of east Tennessee, and upon collecting and counting out the ballots,

the tellers reported, that Mr. Miller Francis had received thirty two votes and Mr. Matthew Nelson, had received twenty eight votes.—The speaker of the senate, then declared, that Mr. MILLER FRANCIS was duly and constitutionally elected *Treasurer of East Tennessee*, for two years, next ensuing.

The two houses next proceeded to the election of a surveyor for Humphreys county, and upon collecting and counting out the ballots, the tellers reported that Mr. Norman Morrison had received fifty one votes.—The speaker of the senate then declared that Mr. Norman Morrison was duly elected surveyor for Humphreys. After which the speaker and gentlemen of the senate, returned to their own chamber, and the speaker resumed the chair.

Mr. Smith laid upon the table the following resolution;

Resolved, That the senate meet the house of representatives in their hall on Saturday next for the purpose of electing a surveyor for the third surveyor's district, and entry taker for White county;

Mr. M'Means the following;

Resolved by the General Assembly of the state of Tennessee, That John Frazier, George W. Atkins and William Oliver, be, and they are, hereby appointed justices of the peace for the county of Stewart—and,

Mr. Walker, the following;

Resolved, That a joint select committee be appointed to wait upon Gen. Wm. Carroll, late governor of the state, and tender to him the thanks of this General Assembly, for the able and impartial manner in which he discharged the duties of chief magistrate for the last six years.

The senate again resolved itself into a committee of the whole on

A bill more effectually to provide for the peace-

cution of offenders and to change the mode of appointing solicitors; and after some time spent in the consideration thereof, the committee rose, and the speaker resumed the chair—when Mr. Frey reported, that the committee had again had said bill under consideration and had directed him to report the same with amendment;

The said amendments were then read, which provided for striking out the first and second sections, which authorised the appointment of a solicitor for each judicial circuit; also, the third and fourth sections which provided for the appointment of county solicitors; also, the fifth section, which prohibited county courts hereafter from making allowances to solicitors for *ex-officio* services;—also, the eleventh section, which required all fines to be assessed against defendants convicted of criminal offences to be ascertained by a Jury; and, also, the twelfth section which prohibited the courts from remitting a fine or any part thereof assessed by a jury.

The senate concurred in said amendments.

On motion of Mr. Williams;

Ordered, That said bill, as amended, be recommended to the judiciary committee.

And then the senate adjourned

WEDNESDAY, OCTOBER 3rd, 1827.

Mr. Lowry moved, that the senate do now proceed with the committee of the "Trustees of the University of Nashville, (which is waiting at the door,) to the Presbyterian Church, to attend the commencement exercise of the students of said institution, agreeably to an invitation from the President, Trustees and Faculty.

The question was taken thereon,

And determined in the affirmative;

There being

AYES—13

NOES—7

Those who voted in the affirmative are;

Mr. Speaker Hall, Cain, Frey, Gammon, Garrett, Gray, Green, of F. Howard, Huntsman, Lowry, M'Means, Rucker and Walker—13.

Those who voted in the negative are,

Mr. Bradford, Brown, Greene, of R. Lytle, Reynolds, Smith and Williams—7.

And so said motion was agreed to.

On motion

Ordered, That the orders of the morning and bill and resolutions set apart for consideration to day, be postponed until to-morrow.

Mr. Brown laid upon the table the following resolution;

Resolved, That a joint select committee be appointed to wait upon his excellency, the Governor, and inform him that this General Assembly, will be ready to receive a communication from him at any time it may suit his convenience.

On motion of Mr. Brown,

The rule requiring resolutions to lie one day upon the table was suspended;

The said resolution was then read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Bradford introduced

A bill for the relief of Robert P. Harrison, surveyor of the 2nd district—and

Mr. Green of F.

A bill to provide for the security of auditors in certain cases;

Which bills were each read a first time and passed.

Received from the house of representatives

A bill to repeal the 2nd section of a law of 1839.

which requires Judges in criminal causes, to finish them though the term of the court should expire;

A bill more effectually to extend to poor persons the means of prosecuting their rights and of redressing their grievances in courts of justice—and

A bill to divorce Nancy Creasy from her husband;

Which bills were severally read a first time and passed.

A bill for the relief of Jacob Howard,

Was read a second time and passed.

Mr. Garret withdrew for amendment,

A bill to amend an act, passed 26th October, 1821 entitled an act, to help and speed poor persons in obtaining their just rights;

Mr. Huntsman,

A bill for the relief of sheriffs and collectors—and

Mr. Gray,

A bill to provide for the occupants south and west of the congressional reservation line.

On motion of Mr. Bradford,

Ordered, That a bill to repeal all laws authorizing the sale of school lands, which had been made the order of to-day, was made the order of the day for Monday next.

And then the senate adjourned.

THURSDAY, OCTOBER 4th, 1827.

Mr. McMeans presented a petition of sundry citizens, praying an occupancy may be secured to Ann and Margaret Murrres, which is interfered with by an old grant, by stoping the fines of said grant at the [end of] its call—also,

A petition of sundry citizens praying that John W. [unclear] be secured in an occupancy made by him.

and which has since been entered by another person;

Ordered, That said petitions be referred to the Committee on land claims.

Mr. Williams, from the judiciary committee, to which was referred, a resolution instructing said committee to enquire into the propriety of having such of the decisions of the supreme court as have not heretofore been published, and such as may hereafter be given, reported for the benefit of the community."

Reported, That they have had the same under consideration, and in pursuance of the enquiry they have ascertained, that Messrs Martin & Yeager, will undertake to report the decisions of the supreme court of the size and character of execution of Johnson's New York reports, containing near six hundred pages, at one dollar for each hundred pages, neatly bound, &c.—Provided, the state will engage to take one hundred and fifty copies of said work; one for each clerk of the county court, circuit, chancery and supreme courts, and the balance to be deposited in the office of the secretary of state for the General Assembly.

This proposition coming from men well qualified, and who has already spent much time and care in collecting and arranging the decisions of the supreme court, authorizes your committee to say, that the propositions ought to be acceded to; as the state, by receiving the number of copies before mentioned, will pay out no money but what she receives ample compensation therefor.—The great benefit to be derived from the utility and promulgation of those decisions to the people of the state, induces your committee to recommend the same to the favorable consideration of the legislature, and that a law be passed accordingly.

Respectfully submitted,

J. WILLIAMS, Clerk.

The said report, was read and concurred in.

Mr. Williams, from the same committee reported,

A bill prescribing the duties of sheriffs in certain cases;

Which bill was read a first time and passed.

Mr. Lowry, from the committee of propositions and grievances, to which was referred

A bill for the relief of Mary Evans,

Reported the same without amendment;

Which bill was read a first time and passed.

Mr. Lowry, from the same committee, reported

A bill to amend an act entitled an act empowering county courts to emancipate slaves, passed Nov. 13, 1801;

Which bill was read a first time and passed.

Mr. Smith, from the select committee on so much of the Governor's message as relates to the election of electors to vote for President and Vice President of the United States—Reported,

A bill to provide for the election of electors of President and Vice President of the United States;

Which bill was read a first time and passed.

Mr. Bradford, from the committee on education and common schools, to which was referred the resolutions, submitted by Mr. Williams on the 18th ult. calling for certain information from the Bank of the state and county entry takers; also, Mr. Howard's substitute for said resolutions; also, the resolutions submitted by Mr. Smith on the 21st ult. on the same subject; and, also, the resolutions submitted by Mr. Green of F., on the 24th ult. as a substitute for all of said resolutions—reported;

That the committee had considered said resolutions, and had directed him to report and recommend the adoption of the resolutions of Mr. Green of F. and the two first resolutions of Mr. Smith;

The said report was read and concurred in.

A resolution, laid upon the table by Mr. Smith

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on Tuesday last, proposing the election of a surveyor for the 3d district, and entry-taker for White county;—and

A resolution of Mr. McMeans, appointing Justices of the Peace for Stewart county;—and

A resolution of Mr. Walker to appoint a committee to wait upon Gen. Wm. CARROLL, late Governor, &c.

Were severally taken up, read and adopted.

Ordered, That the clerk acquaint the house of representatives therewith and ask their concurrence therein.—

Mr. Huntsman returned

A bill for the establishment of separate courts of chancery and for the modification of the supreme court and for other purposes; with an amendment;

Which amendment was read and adopted;

Ordered, That said bill be referred to the Judiciary Committee;

Mr. Garrett returned

A bill to amend an act passed 26th Oct. 1821, entitled an act to help and speed poor persons in obtaining their just rights, with a proposed amendment;

On motion of Mr. Williams,

Ordered, That said bill and amendment lie upon the table till monday next.

On motion of Mr. Reynolds;

Ordered, That a bill to provide for entering vacant lands in the county of Blount, be referred to the committee on land claims.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER,

The house of representatives have received, read and accepted, the resignation of Jesse Allen, a justice of the peace for Giles county;

They concur, in your resolution, instructing the committee appointed to examine the revised laws,

&c. to report the manner of its execution; what laws are considered, by the revisers, obsolete and ambiguous, &c.

They have also appointed a committee to act with the committee of the senate, to wait upon His Excellency the Governor and inform him that the Legislature is ready to receive any communication he may wish to make;—

And they have adopted the following resolution in which they ask your concurrence.

Resolved, That the senate meet the house of Representatives in their Hall on Saturday the 6th instant, for the purpose of electing a President and Directors of the Bank of the State of Tennessee; a Public Printer; Entry takers for the counties of Bedford and Marion, and Attorneys General for the State, in all the Districts in which there are vacancies;

And then he withdrew.

According to a rule of the senate, said resolution lies one day upon the table.

The resignation of Jesse Allen, a justice of the peace was read and accepted.

The speaker appointed Mr. Brown and Mr. Cain the committee, on the part of the senate, to wait upon the Governor on the subject of a communication, &c.

Mr. Howard laid upon the table the following resolutions;

Resolved, That the committee on Public Printing, enquire into the propriety of printing only four copies of the private acts of this Legislature for each county in the state; two to be filed in the office of the clerks of each county and Circuit; one with the Register, and one with the Sheriff; to be preserved by said several officers;—and,

Mr. Garrett, the following;

Resolved, That the committee upon public printing, be instructed to enquire into the expediency

of passing a law, directing the manner of executing the printing of the laws and journals, so as to diminish the expense thereof; and report by bill or otherwise.

The rule requiring resolutions to lie one day upon the table was suspended;

The said resolutions, were then severally read and adopted.

Mr. Greene, of R. introduced

A bill more effectually to prevent champerty and maintainance, in certain cases.

Mr. Lowry,

A bill to amend an act for the benefit of Bradley and Carroll—and,

Mr. Huntsman,

A bill to authorise the drawing of a Lottery for cutting a canal from Hatchie to the Mississippi river;

Which bills were severally read a first time and passed.

Received from the house of representatives,

A bill for the relief of citizens of Hawkins county who purchased lands of Thos: Johnson, it being part of 40,400 acres of which is in the bounds of Hawkins county;

A bill to authorise the drawing of a Lottery to build a bridge across sycamore creek;

A bill prescribing the number of witnesses necessary to prove bills of sale;

A bill to prevent the abatement of suits in certain cases;

A bill to amend an act, entitled an act concerning the Trustees of Overton county, passed 1825;

A bill for the relief of John Wilson;

A bill to authorise Thomas Durham to build a fish trap in caney fork;

A bill for the relief and benefit of David Henry Houser and others;

A bill authorising the register of east Tennessee

to issue certificates for land sold at the Hiwassee land sales;

A bill to authorise William Farrer and James Smith to build a mill on Duck river—and,

A bill to amend an act entitled, an act to authorise the Treasurer to receive certain monies, passed 23rd Nov. 1826;

Which bills were severally read a first time and passed.

A bill to amend an act entitled, an act to provide for the appointment of public printer, passed 26th October, 1807,

Was read a second time and passed.

Mr Huntsman returned

A bill to establish toll bridges over Hatchie and Forked deer rivers, with an amendment; which was read and adopted;

The said bill, as amended, was then read a second time and passed.

Mr. Huntsman withdrew for amendment,

A bill for the relief of Daniel Carter or his rightful assignee.

The senate took up on its third and last reading

An engrossed bill from the house of representatives, entitled, a bill giving further time for surveying lands lying north and east of the Congressional reservation line and north of Tennessee river;

Mr. Green, of F moved to strike out the last section of said bill, which directed the registers to issue grants on plats and certificates, notwithstanding the enterer may have entered more land than the law authorised.

And the question thereon was taken;

And determined in the affirmative;

Ordered, That the clerk acquaint the house of representatives therewith and ask their concurrence therein.

Received from the house of representatives,

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A bill to provide for the payment of cost in certain cases,

Which was read a first time;

On motion of Mr. Green, of F.

Ordered, That said bill be referred to the judiciary committee,

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The speaker of the house of representatives has signed the following enrolled bills;

An act concerning the register of the Hiwassee district;

An act for the benefit of female debtors;

An act to establish a register's office in the town of Sparta, for the mountain district—and,

An act, concerning the town constable and clerk of the market for the corporation of the town of Nashville,

Which I am directed to deliver to the senate to receive the signature of their speaker;

And then he withdrew.

The speaker signed the enrolled bills;

Ordered, That the clerk deposit them in the office of the secretary of state.

And then the Senate adjourned.



FRIDAY, OCTOBER 5th, 1827.

Mr. Garrett presented a petition of John Wallin, praying a land warrant may be issued to him;

Ordered, That said petition be referred to the committee on land claims.

Mr. Garrett also presented a petition of Comford Robertson, of Claiborne county, praying a law extending to her the privileges of a single woman, except intermarrying with another man during the natural life of her husband;

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Williams presented a petition of John Luttrell, praying compensation for a gun impressed during the late war;

Ordered, That said petition be referred to the committee on claims;

Mr. Williams also presented a petition of Elizabeth M'Cabe, of Knox county, praying to be divorced from her husband—also;

A petition of Jacob Hackney, of Knox county, praying to be divorced from his wife;

Ordered, That said petitions be referred to the committee on divorces.

Mr. Howard presented a petition of sundry citizens of Greene county, praying the passage of a law to authorise James W. Wyly, to sell the real and personal property of Robert G. H. Wyly, a lunatic, now in the hospital at Philadelphia, for the purpose of maintaining the said Robert;

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Gray presented the return of the clerk of the county court of Weakly county, of the number of captains companies and justices of the peace for said county.

Ordered, That said return be referred to the committee on captains companies and Justices of the peace.

Mr. Green, of E. from the committee on internal improvements, to which was referred a resolution, directing said committee to enquire into the expediency of employing a civil engineer for the state,

Reported the following resolution;

Resolved, by the General Assembly of the State of Tennessee, That it is expedient now to employ a civil engineer for the state whose duty it shall be,

forthwith, to make such surveys as may be directed by this General Assembly;

The said resolution was read;

On motion of Mr. M'Means;

Ordered, That said resolution be laid upon the table till monday next.

A resolution from the house of representatives on yesterday, proposing the election of president and directors of the bank of the state, public printer, entry-takers for Bedford and Marion, and attorneys General for the several districts on which vacancies exist,

Was taken up, read and concurred in;

Ordered. That the clerk acquaint the House of Representatives therewith.

A resolution of Mr. Huntsman, proposing to amend the Constitution of the United States, which was made the order of to day, was taken up, when,

On motion of Mr. Huntsman,

Ordered, That said resolution lie upon the table indefinitely.

Mr. M'Means laid upon the table the following resolution;

Resolved, That the senate meet the house of representatives, in their hall, on to-morrow at 9 o'clock, A. M. for the purpose of electing an entry taker for Stewart county.

On motion of Mr. M'Means,

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended, and said resolution was then read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Williams laid on the table the following resolution;

Resolved, by the General Assembly of the State of Tennessee, That it is expedient to remove to the supreme court of the United States the suit Cor-

net's lessee against Winton, decided by the supreme court of errors and appeals of this state; and, also, the case M'Clung, of Pennsylvania against Brown, decided by the circuit court of the United States, for the district of east Tennessee, or some one or two of the reserved cases in the Hiwassee district.

Mr. Gray returned

A bill to provide for the occupants south and west of the Congressional reservation line, with an amendment, which was read and adopted;

On motion of Mr. Williams,

Ordered, That said bill be laid upon the table indefinitely.

Mr. Lowry returned

A bill to provide for the entering of the vacant lands in the county of Blount, with an amendment, which was read and adopted;

The said bill as amended, was then read a second time and passed.

Mr. Huntsman returned

A bill for the relief of sheriffs and collectors, with an amendment, which was read and adopted;

The said bill, as amended, was then read a second time and passed.

On motion of Mr. Lowry;

Ordered, That

A bill more effectually to enable creditors to collect their just debts,

Be referred to the judiciary committee,

On motion of Mr. Reynolds;

Ordered, That

A bill regulating the duty of justices of the peace, be referred to the judiciary committee,

On motion of Mr. Smith; —

Ordered, That

A bill to regulate endorsements for sums less than fifty dollars, be referred to the judiciary committee.

On motion of Mr. Howard;

Ordered, That

A bill authorising letters of administration, &c. to be granted by the clerks of the county courts out of term time, in certain cases;

Be referred to the judiciary committee.

Mr. Reynolds introduced

A bill to amend the laws organizing the militia of this state—and,

Mr. Greene, of R,

A bill authorising capt. James M'Pherson to complete his rifle company;

Which bills were both read a first time and passed.

A bill to authorise the sheriff of Hawkins county to appoint additional deputies;

A bill allowing twelve and one half per cent. on the affirmance of judgments removed by certiorari;

A bill directing the mode of surveying occupant entries in the western district;

A bill to amend an act, entitled, an act to regulate the descent of real estate, to do away entails to make provision for widows, and prevent frauds in the execution of last wills and testaments;

A bill to compel clerks of the county courts to reside in the county in which they hold clerkships—and,

A bill concerning fines, forfeitures, &c. expressed in pounds, shillings and pence, in some of the old statutes of this state,

Were severally read a second time and passed.

Mr. Garrett withdrew for amendment,

A bill to regulate the practice of attorneys, and to expedite business in the courts of this state.

On motion of Mr. Smith;

Ordered, That

A bill more effectually to provide for holding circuit courts in this state, be referred to the judiciary committee,

Mr. Howard withdrew for amendment,

A bill to repeal all laws heretofore passed authorising a change of venue.

A message from the house of representatives, by Mr. Campbell their clerk;

Mr. SPEAKER;

The house of representatives have adopted a resolution appointing Benjamin Bondurant and John M'Neily, Trustees for Dresden academy, in the county of Weakly, and ask your concurrence therein;

And then he withdrew.

According to a rule of the senate, said resolution lies one day upon the table.

A bill to divorce Mary Martin from her husband Sam. N. Martin,

Was read a second time;

Mr. Huntsman moved to lay said bill on the table, till the 1st day of January next;

And the question was taken thereon

And determined in the negative;

There being

AYES—9

NOES—9

Those who voted in the affirmative are;

Mr. Speaker Hall, Brown, Cain, Frey, Gray, Howard, Huntsman, M'Means and Reynolds—9.

Those who voted in the negative are;

Mr. Bradford, Gammon, Garrett, Greene, of R. Green, of F. Lowry, Lytle, Rucker and Williams—9.

And so said motion was not adopted; for according to a rule of the senate, where there is an equal division of the vote, the question is lost.

And then the Senate adjourned.

SATURDAY, OCTOBER 6th, 1827.

Mr. Gammon presented a petition of Wm. Rock-

hold, stating that a judgment was unjustly rendered against him and T. Rockhold, at March term of Sullivan circuit court, from which judgment they took an appeal to the supreme court at Knoxville; that he procured the necessary records and forwarded them in due time by mail to Knoxville, but owing to the omission of the Post master, they did not reach their destination in time and his suit was dismissed in consequence thereof—and praying that a law may be passed, authorising them to renew their appeal in the same way as though it had not been dismissed;

Ordered, That said petition be referred to the judiciary committee.

On motion of Mr. Williams;

Ordered, That the further orders of the morning be postponed, for the purpose of going into the several elections set apart for this day.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The house of representatives concur in your resolution to go into the elections this day of a surveyor General for the 3rd surveyor's district, and entry takers of White and Stewart counties—also, in your

Resolution to appoint a joint select committee to wait upon Gen. Wm. Carroll and tender him the thanks of this General Assembly for the able and impartial manner in which he discharged the duties of chief magistrate for the last six years—also in your

Resolutions calling for information from the bank of the state, bank agents, clerks, entry takers, &c;

And then he withdrew.

The speaker and gentlemen of the senate repaired to the hall of the house of representatives, for the purpose of going into the several elections

set for this day, and were invited to seats within the hall.

The two houses first proceeded, by ballot, to the election of a solicitor for the 6th solicitorial district, and upon collecting and counting out the ballots on the fourth balloting, the tellers reported that Mr. Robert L. Caruthers, Esq. had received thirty votes, and Mr. Charles Ready, junr. had received twenty eight votes;

Whereupon the speaker of the senate declared that Mr. ROBERT L. CARUTHERS was duly and constitutionally elected solicitor General for the sixth solicitorial district.

They next proceeded, by ballot, to the election of a president of the bank of the state of Tennessee, and upon collecting and counting out the ballots, the tellers reported that Mr. Leonard P. Cheatham had received thirty one votes, and Mr. Joseph Philips had received twenty seven votes;

Whereupon, the speaker of the senate declared that Mr. LEONARD P. CHEATHAM, was duly elected president of the bank of the state of Tennessee for two years, next ensuing.

They next proceeded, by joint ballot, to the election of ten directors for the bank of the state of Tennessee, and upon collecting and counting out the ballots, the tellers reported that Thomas Edmonson had received fifty six votes; Joseph T. Elliston fifty four votes; Matthew Barrow fifty four votes; Wm. A. Cook forty four votes; James Stewart forty three votes; Wm. Carroll forty two votes; Jesse Wharton forty two votes; Wm. Williams forty two votes; James Roane thirty seven votes; and James P. Clarke thirty five votes; and that no other person had received as many votes—Whereupon, the speaker of the senate, declared that the ten gentlemen above named, were duly elected directors of the bank of the state of Tennessee for two years next ensuing.

They next proceeded to the election of a public printer, and upon collecting and counting out the ballots, the tellers reported that Messrs. Hall and Fitzgerald, of Nashville, and Messrs. Heiskell and Brown, of Knoxville, who had been jointly nominated, had received thirty three votes, and Messrs Sublett and Ledbetter, of Murfreesboro', had received twenty six votes—Whereupon, the speaker of the senate, declared that Messrs HALL & FITZGERALD and HEISKELL & BROWN, were duly elected public printers for the state of Tennessee for two years next ensuing.

They next proceeded, by ballot, to the election of a solicitor for the 8th solicitorial district, and upon collecting and counting out the ballots on the fifth balloting, the tellers reported that Mr. Erwin J. Frierson had received thirty one votes and Mr. Thomas P. Taul twenty eight votes—The speaker of the senate then declared ERWIN J. FRIERSON duly elected solicitor General for the eighth solicitorial district.

They next proceeded, by ballot, to the election of a solicitor for the eleventh district, and upon collecting and counting out the votes, the tellers reported that Mr. James P. Lowry, had received thirty votes and Mr. James F. Bradford twenty nine votes—The speaker of the senate then declared that Mr. JAMES P. LOWRY was duly elected solicitor General for [the] eleventh solicitorial district.

They next proceeded, by ballot, to the election of a surveyor General for the third surveyor's district, and entry takers for Marion, Stewart, Bedford and White counties, and upon collecting and counting out the ballots upon the several ballotings, the speaker of the senate declared that HAROLD D. MARCHBANKS was duly elected surveyor of the 3rd surveyor's district; and that STEPHEN A. BLEVINS, of Marion county, JOSEPH SMITH, of Stew-

art county; JAMES R. WHITE, of Bedford county, and JOHN H. ANDERSON, of White county, were duly elected entry takers for their respective counties.

The speaker and gentlemen of the senate returned to their own chamber, and the speaker resumed the chair.

And then the senate adjourned.

MONDAY, OCTOBER 8th, 1827.

Mr. Howard presented a petition of sundry citizens of Greene county, praying that part of the punishment imposed on John Bucks and Wm. R. Head, by the circuit court of said county be remitted, accompanied by the following resolution:

Resolved. That the committee on propositions and grievances, enquire into the expediency of remitting the imprisonment imposed upon John Bucks and Wm. R. Head, by the judge of the circuit court of Greene county, at the September term thereof, as is shown in the petition herewith filed.

According to a rule of the senate, said resolution lies one day upon the table.

Mr. Lowry presented a memorial of John D. Delacy proposing to improve the navigation of the Tennessee and Holston rivers from the Boat Yard, on Holston and the muscle shoals in Tennessee river, and to put into successful operation two steam boats to ply between those two points, provided that the Legislature would secure to him and his associates the exclusive right of navigating said river between said points with steam boats, for twenty years.

Ordered, That said memorial, be referred to the committee on Internal Improvements.

Mr. Hall presented a petition of sundry citizens of Smith county, praying compensation may be made to Edward Settle, of said county, for a negro executed in said county.

Mr. Reynolds presented a petition of sundry citizens of Maury county, praying that Lewis Harris be permitted to retail goods, wares and merchandise in said county, free of state or county tax.

Mr. McMeans presented a petition of John Hamilton, Wm. Hamilton and James Cain, praying the passage of a law authorizing John Hamilton to lay off and establish a town at the mouth of Blue creek, to be called New Salem.—and

Mr. Huntsman presented a Petition of sundry citizens of Haywood county, praying the passage of a law, authorizing the county court to impose a tax not exceeding twelve and one half cents on every hundred acres of land, to be applied to building bridges, making causeways and repairing roads.

Ordered, That said four last petitions be referred to the committee of propositions and grievances.

Mr. Frey presented the return of the clerk of the circuit court of Dickson county of the amount of law tax collected in said county for the years 1825, and 1826;—and,

Mr. Huntsman, presented a return of the clerk of the circuit court of Tipton county, of the amount of law tax collected in said county for the years 1825 and 1826.

Ordered, That said returns be referred to the committee of Finance.

A resolution from the House of Representatives on Friday, appointing trustees for Dresden academy, in the county of Weakly was read and concurred in;

A resolution laid upon the table on Friday last, by Mr. Williams proposing to transfer two or more reserved cases under the treaties with the Chero-

kee nation of Indians, to the supreme court of the United States for decision;

Was taken up and read; when,

On motion of Mr. Williams,

Ordered, That said resolution lie upon the table indefinitely.

Mr. McMeans laid upon the table the following resolution;

Resolved, That the members of this General Assembly will wear crape on the left arm for thirty days, as a token of respect to the memory of John Graham, deceased, one of the members of this General Assembly, who died during this session.

The rule, requiring resolutions to lie one day upon the table, was suspended;

The said resolution was then read and adopted;

Ordered, That the clerk acquaint the House of Representatives therewith and ask their concurrence therein;

Mr. Smith laid upon the table the following resolution;

Resolved, That the senate meet the House of Representatives in their Hall on to-morrow at eleven o'clock, to elect a Register for the mountain district.

Mr. Howard, who had withdrawn for amendment,

A bill to repeal all laws heretofore passed authorising a change of venue in criminal cases, returned the same;

Mr. Howard moved to strike out the third and fourth sections, which provided for summoning a Jury from an adjoining county;

And the question was taken thereon,

And decided in the affirmative;

And so said sections were stricken out;

The question was then taken,

Shall the said bill pass a second time?

And determined in the affirmative, there being

AYES—15

NOES— 5

The ayes and noes being required;

Those who voted in the affirmative, are,

Mr. Speaker Hall, Bradford, Brown, Cain, Frey, Gammon, Gray, Green, of R., Huntsman, Howard, Reynolds, Rucker, Smith, Walker, and Williams—15.

Those who voted in the negative, are;

Mr. Garrett, Green, of F. Lowry, Lytle and M^r. Means—5.

And said bill passed a second time.

A bill authorising a transfer of certain causes,

Which had been made the order of this day, was taken up and amended so as to confine its operation to the 8th and 9th judicial circuits;

Ordered, That said bill be engrossed for a third reading.

Mr. Rucker introduced

A bill for the relief of appearance bail;

Ordered, That said bill be referred to the judiciary committee.

Mr. Huntsman introduced

A bill for the relief of certain securities;

A bill to amend an act, passed 9th December, 1826, entitled an act to extend the corporation of the town of Covington, in the county of Tipton—and

A bill for the relief of Thomas J. Smith.

Mr. Reynolds

A bill better to secure the collection of the revenue and to prescribe the duty of clerks and solicitors in certain cases.

Mr. M^r. Means,

A bill for the relief of the heirs of the late John Graham, of the house of representatives—and,

Mr. Gammon

A bill for the relief of Magdalen Snapp;

Which bills were severally read a first time and passed.

A bill supplemental to an act entitled an act, to authorise the drawing of a Lottery to open and make navigable Sequatchee river,

Was read a second time and passed.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The house of representatives concur in your resolution appointing John Frazier, John W. Atkins and Wm. Oliver, justices of the peace for the county of Stewart.

They have adopted a resolution appointing justices of the peace for the following counties;

For Hawkins county—William Hagood.

For Williamson county—Willis Caruthers, Archibus P. Hughes, Jabes Owens and Nicholas Perkins, junr.

For Giles county—John C. Bradin, John P. Taylor and Joseph Anthony.

And then he withdrew.

Mr. Garrett, who had withdrawn for amendment

A bill to regulate the practice of attornies, and to expedite business in the courts of this state returned the same, with an amendment, which provided that not more than one attorney should speak in any criminal cause in behalf of the state besides the attorney General;

The said amendment was read and adopted,

And then the Senate adjourned.

TUESDAY, OCTOBER 9th, 1827.

Mr. Gammon presented a petition of Taylor M'Nabb and Wm. M'Nabb, executors of David M'Nabb, deceased, who was, previous to his

death, Trustee for the county of Carter, stating that the present trustee and sheriff, both refuse to pay the claims held by their testator as well as the claims held by citizens filed with their testator in his life time; and that holders of such claims are pressing said petitioners for those claims; and they have no authority as executors to collect them from the present trustee and sheriff—and praying the passage of a law absolving them from liability on those claims, or to be authorised, as executors, to collect said claims for said trustee or sheriff.

Mr. Williams presented a petition of sundry citizens of Knox county, praying that the salary of the executive and judicial officers, and *per diem* pay of the members of the legislature, be reduced.

Mr. Greene, of R. presented a petition of sundry citizens of the Hiwassee district, praying that a law be passed releasing the balance due the state on a certain quarter section of land to Martha Childress;

Ordered, That said petitions be referred to the committee of propositions and grievances.

Mr Garrett presented a petition of sundry citizens of Campbell county, praying the passage of a law authorising the establishment of a turnpike road from Martin's on the Powell's valley road, up cove creek, crossing elk gap to the Kentucky line;

Also; a counter petition of sundry citizens of Campbell county, to the establishment of said turnpike road;

Ordered, That said petitions be referred to the committee on internal improvements.

Mr Greene, of Roane, presented a petition of Robert Gamble, of Rhea county, stating that, at the Hiwassee land sales, in 1820, he became purchaser of several lots or parcels of land in said district; that subsequently he was sued by a certain John Miller, an Indian reservee, and recovery had against him for the greater part of the land pur-

chased by him in the circuit court of Knox county, and that the residue of his purchase is included in a school tract of land—and praying that the state will purchase the claim of the said John Miller to the land recovered, and vest the title thereto in him, and grant him such other and further relief as may seem just and right;

Ordered, That said petition and documents be referred to the committee of claims.

Mr. Williams presented a letter from James Cowan, stating that 127 acres of land, purchased by him of the state, at the Hiwassee land sales, is included in the reservation of John Miller, an Indian reservee, asking such relief as the nature and justness of his claim requires;

Ordered, That said letter be referred to the committee of claims.

A resolution laid upon the table by Mr. Howard on yesterday, instructing the committee of propositions and grievances on a petition from Greene county,

Was taken up, read and adopted.

A resolution laid upon the table on yesterday by Mr. Smith, to elect a register for the mountain district, on to day, was read and adopted.

A resolution received from the house of representatives on yesterday, appointing justices of the peace for the counties of Williamson, Giles and Hawkins;

Which was read; when,

On motion of Mr. M^rMeans,

Ordered, That said resolutions lie upon the table indefinitely.

A message from the house of representatives, by Mr. Campbell their clerk;

Mr. SPEAKER;

The house of representatives have adopted the following resolution, in which they ask your concurrence;

Resolved, by the General Assembly of the state of Tennessee, That William G. Pickins, William Parr Edmond Williams, John E. Stephenson and Carlisle W. Knight of Maury county—and John G. Eason, Samuel Crawford, Hozekiah Bayles and Joshua Boren, of Washington county, be, and they are, hereby appointed, justices of the peace for their respective counties

They concur in your resolution to go into the election of a register for the mountain district on to day, and are now ready to receive the senate for that purpose.

And then he withdrew.

The speaker and gentlemen of the senate, repaired to the hall of the house of representatives for the purpose of electing a register for the mountain district, and were invited to seats within the hall.

The two houses then proceeded, by joint ballot, to the election of said register, and upon collecting and counting out the ballots, the tellers reported that Mr. Richard Nelson had received thirty two votes, a majority of the whole number given in—The speaker of the senate, then declared, that RICHARD NELSON, was duly and constitutionally elected register of the mountain district—Whereupon the speaker and gentlemen of the senate returned to their own chamber, and the speaker resumed the chair.

On motion of Mr. Williams;

The senate took up and proceeded to consider, the second and third resolutions, submitted by Mr. Williams on the 18th ult.; the second of said resolutions calling upon the bank of the state of Tennessee for certain information, was read.

Mr. Green, of F. moved to amend said resolution by striking [out] the words "and the names of the endorsers thus released," which was agreed to by the senate,

The said resolution was then adopted.

The third resolution, calling upon the old bank of the state of Tennessee for certain information was then read.

Mr. Huntsman moved to amend the same by striking out the words "and the names of the endorers thus released," which was agreed to by the senate;

The said resolution was then read and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Reynolds laid upon the table the following resolution;

Resolved, That the committee on banks be instructed, to report to this General Assembly, the best plan, in their opinion, of securing the ultimate redemption of the notes of the Nashville bank now in the Treasury and the bank of the state, or which may hereafter be received therein; and, also, the best plan of converting the same into sound funds, if it be not practicable to obtain collateral security for its redemption in specie.

Mr. Bradford laid upon the table the following resolution;

Resolved, That the president of the state bank report to this General Assembly, whether any propositions have been received by that institution from the Nashville bank for the redemption of the notes of the Nashville bank received under the law of 1826.

On motion of Mr. Brown,

The senate took up the resolution from the House of Representatives on yesterday, appointing Justices of the Peace for Giles Williamson and Hawkins counties,

And concurred in so much thereof as appoints Justices of the Peace for Giles county.

On motion of Mr. Rucker,

The senate concurred in so much thereof as appoints Justices of the Peace for Williamson county—

On motion of Mr. Gammon,

The senate non concurred in so much of said resolution as appoints William Hagood a Justice of the Peace for Hawkins county.

Ordered, That the clerk acquaint the House of Representatives therewith;—

On motion of Mr. Greene, of R.,

The senate took up and proceeded to consider, a resolution submitted by him on the 22nd ult. disqualifying members of the Legislature from being eligible to accept offices created by the Legislature;

Mr. Greene, of R., offered the following resolution as a substitute for his first resolution, which was accepted by the senate.

Resolved, by the General Assembly of the State of Tennessee; That in the opinion of this General Assembly, it is inconsistent with the provisions of the constitution and spirit of our government, that any office, created by the Legislature, should be filled by a member of that body, where the acceptance of such office will vacate such members' seat.

The said resolution was read and adopted.

Ordered, That the clerk acquaint the House of Representatives therewith, and ask their concurrence therein;—

Mr. Huntsman, returned

A bill for the relief of Daniel Carter, or his rightful assignee, with an amendment, which was read and adopted.

On motion of Mr. Gray,

Ordered, That said bill be laid upon the table indefinitely.

Mr. Lowry introduced,

A bill for the relief of John Tucker of McMinn county.

Mr. Huntsman introduced a bill more effectually to provide for reporting the decisions of the supreme court;—and,

Mr. Howard, introduced

A bill for the relief of citizens who may haul salt from Goose Creek salt works;

Which bills were severally read a first time and passed.

A bill for the relief of Ann Young,

Was read a third and last time; passed and ordered to be engrossed.

An engrossed bill, entitled, a bill to authorize the transfer of certain causes;

Was read a third time and passed.

Mr. Lowry withdrew for amendment

A bill for the relief of the widow and heirs of Jas. Sisk, dec.

A message from the House of Representatives by Mr. Campbell, their clerk;

MR. SPEAKER;

The House of Representatives *insist* upon your concurrence in their resolution to appoint Wm. Hagood a Justice of the Peace for Hawkins county and again ask your concurrence therein.

And then he withdrew.

On motion of Mr. Reynolds;

The senate, took up and concurred in so much of a resolution received from the House of Representatives on yesterday as appointed Justices of the Peace for the county of Maury;

Ordered, That the clerk acquaint the House of Representatives therewith;

And then the Senate adjourned.

WEDNESDAY, OCTOBER 10th, 1827.

Mr. Garrett presented a petition of sundry citizens of Jefferson and Hawkins counties, praying that the line dividing said counties be so changed as to include Cheek's cross roads in Jefferson county.

J SENATE

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Bradford, presented a return of the clerk of the county court of Bedford county, of the amount of state tax collected in said county for the years 1825 & 1826—also, a return of the clerk of the circuit court of said county of the amount of law tax received by him for the years 1825 & 1826;

Ordered, That said returns be referred to the committee of Finance.

Mr. Bradford also presented a return of the clerk of the county court of Bedford county, of the number of captains companies and Justices of the Peace in said county;

Ordered, That said return be referred to the committee on captains companies and Justices of the Peace.

Mr. McMeans, presented the resignation of John Thompson, entry-taker for Humphreys county;

Which was read and accepted.

Ordered, That the clerk transmit it to the House of Representatives for their acceptance.

A resolution laid upon the table on yesterday by Mr. Reynolds, instructive to the committee on Banks;

Was taken up, read and adopted.

A resolution, laid upon the table on yesterday by Mr. Bradford, calling on the president of the bank for information in relation to the Nashville money, &c.;

Was taken up, read and adopted.

Ordered, That the clerk acquaint the House of Representatives therewith, and ask their concurrence therein;

A resolution received from the house of representatives on yesterday, appointing justices of the peace for Washington county;

Was taken up, read and adopted.

On motion of Mr. Gammon;

Ordered, That an insisting message from the

house of representatives on yesterday, for the appointment of Wm. Hagood a justice of the peace for Hawkins, be laid upon the table for consideration.

Mr. Williams from the judiciary committee, to which was referred a petition of W. & T. Rockhold, praying to be authorized to revive an appeal taken from the circuit court of Sullivan county to to the supreme court at Knoxville; made a report thereon, which was read, and the resolution therein submitted was concurred in by the senate as follows;

Resolved, That the prayer of said petitioners is *unreasonable* and ought not to be granted.

Mr. Williams from the same committee to which was referred,

A bill more effectually to provide for holding the circuit courts in this state, reported the same without amendment;

Ordered, That said bill lie upon the table.

Mr. Brown from the committee on enrolled bills, reported, that they had examined and found to be truly enrolled;

An act for the relief of Ann Young.

The speaker signed said enrolled bill.

Ordered, That the clerk transmit said bill to the house of representatives, to receive the signature of their speaker.

Mr. Green of F., laid on the table, the following resolutions;

Resolved, That the committee on the Penitentiary be instructed to enquire into the expediency of erecting a Penitentiary in this state, and that they report by bill or otherwise;

Resolved, That the clerk of the senate, copy the journal for the public printer, and furnish the same to said printers as copied—and,

Mr. Bradford laid upon the table the following;

Resolved, That a committee be appointed to examine and report to the senate, whether it is expe-

cient and requisite for this General Assembly to open an office for the further adjudication of North Carolina land warrants;

According to a rule of the senate, said resolutions lies one day upon the table.

Mr. Williams introduced

A bill to repeal an act, entitled an act to incorporate the Hiwassee canal company—and,

Mr. Greene, of R., introduced,

A bill for the relief of the citizens of the Hiwassee district;

Which bills were both read a first time and passed.

Received from the house of representatives,

A bill restoring Isaac Martin to the privileges of citizenship;

A bill to divorce Wm. Turner from his wife Rachael Turner;

A bill to divorce Isabella Jackson, from her husband John Jackson;

A bill for the benefit of Dickson Academy;

A bill to establish a female academy in the town of Knoxville—and,

A bill respecting Peter Knobs turnpike road.

Which bills were severally read a first time and passed;

A bill for the relief of the heirs of the late John Graham, dec'd. one of the members of this General Assembly,

Was read a second time and passed.

A bill to authorize the sheriffs of Hawkins, Giles and Jefferson counties to appoint additional deputies;

Was read a third time and passed.

Mr. Lowry returned

A bill for the relief of the widow and heirs of John Sisk, dec'd—

With an amendment, which was read and adopted.

The said bill, as amended, was then read a second time and passed.

Mr. Gammon withdrew for amendment,
 A bill for the relief of those citizens of Hawkins
 county, who purchased lands of Thomas Johnson.
 And then the Senate adjourned.

THURSDAY, OCTOBER 11th, 1827.

Mr. Gammon presented a petition of Elizabeth Young, administratrix of Wm. Young deceased, stating that her husband purchased a fractional quarter section of land at the Hiwassee land sales, which is included in the reservation of John Heldebrand, and praying the passage of a law refunding her the purchase money and interest paid to the state for said fractional quarter section;

Ordered, That said petition be referred to the committee of claims.

Mr. Garrett presented a petition of William Philips of Campbell county, praying to be divorced from his wife Elizabeth;

Ordered, That said petition be referred to the committee on divorces.

A resolution laid upon the table on yesterday, by Mr. Green, of F. instructing the penitentiary committee, also, a resolution directing the clerk to copy the journal for the printer;

Were each taken up, read and adopted.

A resolution laid upon the table on yesterday by Mr. Bradford on the subject of land warrants,

Was taken up and read, when,

Mr. Huntsman submitted the following resolution as a substitute for Mr. Bradford's resolution, which was read and accepted, as follows;

Resolved, That it is inexpedient, at the present session of this General Assembly, to pass any laws authorising the further adjudication and location of land warrants.

And the question was then taken,

Will the senate adopt said resolution?

And determined in the negative;

There being

AYES—7

NOES—13

The ayes and noes being required;

Those who voted in the affirmative are;

Mr. Bradford, Frey, Gammon, Gray, Huntsman, M'Means and Walker—7.

Those who voted in the negative are;

Mr. speaker Hall, Brown, Cain, Garrett, Greene, of R. Green, of F. Howard, Lowry, Lytle, Reynolds, Rucker, Smith and Williams—13.

And so said resolution was not adopted.

Mr. M'Means laid upon the table the following resolutions;

Resolved, That the senate meet the house of representatives in their hall, on Saturday next, at 11 o'clock, for the purpose of electing an entry taker for Humphreys.

Resolved, by the General Assembly of the state of Tennessee, That Charles J. Wheatly, and Abel Rushing, be, and they are, hereby appointed justices of the peace for the county of Humphreys.

Resolved, That the committee on banks, be instructed to enquire into the expediency of repealing the act of the last session, which repealed the act of 1817, taxing any branch of the United States' bank, which might be located within the limits of this state, or to enquire into the propriety of compelling said institution now located here, to pay a reasonable tax to the state.

Mr. Rucker laid upon the table the following resolutions;

Resolved, That the senate meet the house of representatives in their hall, on Wednesday next, at eleven o'clock, for the purpose of counting out the votes given in at the last general election for representatives in the several counties of this state; also, the number of votes given in at said election for and against a convention.

Resolved, That the committee on criminal jurisprudence, be instructed to enquire, whether any amendment be necessary to the criminal laws of this state, wherein they prescribe the *minimum* term for which offenders shall be imprisoned—and that they report by bill or otherwise—and

Mr. Gammon laid upon the table the following resolution;

Resolved, That the public printers be, and are hereby required, as soon as practicable, to print and forward to the clerk of each county in this state, one copy of the acts bound in boards passed by this General Assembly.

According to a rule of the senate, said resolution lies one day upon the table.

Mr. M'Means introduced

A bill for the relief of Sampson Black—and

Mr. Howard introduced,

A bill for the relief of William Reynolds;

Which bills were each read a first time and passed.

A bill for the relief of the heirs of Lewis Dillahunty, deceased;

A bill to legalize the official acts of the persons therein named;

A bill to authorise the persons therein named to build a fish trap across the north sluice of Cumberland river, commonly called mill sluice;

A bill to extend the corporation of the town of Fayetteville—and,

A bill to authorise persons to sell spirituous liquors, at whose houses elections and musters are held;

Were severally read a second time and passed.

A bill for the relief of the heirs of the late John Graham, dec'd a member of the house of representatives.

Was read a third time and passed.

A bill supplemental to an act, entitled an act to authorise the drawing of a lottery to open and

make navigable the Sequatchee river,

Was read a third and last time, passed and ordered to be engrossed.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The house of representatives have adopted the following resolution, in which they ask your concurrence—

Resolved by the General Assembly of the State of Tennessee, That Simon Elliott be, and he is, hereby appointed a justice of the peace for the county of Rutherford.

And then he withdrew.

On motion of Mr. Rucker,

The rule of the senate requiring resolutions to lie one day upon the table was suspended;

The said resolution was then read and concurred in;

Ordered, That the clerk acquaint the House of Representatives therewith,

Mr. Frey, withdrew for amendment,

A bill to authorise the drawing of a lottery to build a bridge across sycamore creek.

And then the senate adjourned



FRIDAY, OCTOBER 12th, 1827.

Mr. Williams, from the judiciary committee to which had been referred,

A bill more effectually to provide for the prosecution of offenders—

A bill for the establishment of separate chancery courts, and for the modification of the supreme court, and for other purposes—

A bill to regulate endorsements for sums under fifty dollars;

A bill more effectually to enable creditors to collect their just debts—and,

A bill for the modification of the supreme court, and to abolish the present system of chancery courts—Reported;

That the committee having considered the provisions of said bills, directed him to report the same without amendment;

And recommend that they be passed into laws;

Ordered, That said bills and report lie upon the table.

Mr. Williams, from the same committee, to which had been referred,

A bill regulating the duties of justices of the peace in certain cases—and,

A bill to provide for the payment of costs in certain cases—Reported

That the committee having considered the provisions of said bills [directed] him to report the same without amendment, and recommend that they be rejected.

Ordered, That said bills and report lie upon the table.

Mr. Williams, from the same committee, to which had been referred,

A bill to repeal all laws giving tax fees to attorneys at law—Reported,

That the committee, having considered the provisions of said bill, directed him to report the same with an amendment in lieu of the whole bill, which provided

“That no attorney shall be entitled to any tax fee for any motion in the county court for an order of sale on executions issued by justices of the peace and levied upon land.”

Ordered, That said bill and amendment be laid upon the table.

A resolution, laid upon the table on yesterday by Mr. Gammon, directing the public printer to forward one copy of [the] acts to clerks, &c.

Was taken up, read and adopted.

A resolution laid upon the table on yesterday by

Mr. McMeans to elect [an] entry taker for Humphreys county and a resolution appointing justices of the peace for Humphreys county, were each taken up, read and adopted.

Ordered, That the clerk acquaint the house of representatives with the adoption of said resolutions and ask their concurrence therein.

A resolution, laid upon the table on yesterday by Mr. Rucker, instructing the committee on criminal jurisprudence to enquire into the amendments necessary to the criminal code, &c.

Was taken up, read and adopted.

A resolution laid upon the table on yesterday by Mr. Rucker, proposing to meet the house of representatives on Wednesday next for the purpose of counting out the votes given for and against a convention,

Was taken up and read;

On motion of Mr. Reynolds,

Ordered, That said resolution lie upon the table for further consideration.

A resolution, laid upon the table on yesterday by Mr. McMeans, instructing the committee on banks to enquire into the propriety of repealing the act of the last session which repealed the act of 1817, which imposed a tax on the branch of the United States [bank] that might be located in this state, &c.

Was taken up and read—

On motion of Mr. Brown;

Ordered, That said resolution lie upon the table for further consideration.

A message from the house of representatives, by Mr. Campbell their clerk;

Mr. SPEAKER;

The house of representatives concur in your resolution declaring it inconsistent with the provisions of the constitution and spirit of our government, for members of the legislature to be elected to an office created by the legislature—also, in your resolution that the president of the bank

report whether any propositions have been made by the Nashville bank for the redemption of their paper—

The speaker, has signed an enrolled bill entitled an act, for the relief of the heirs of the late John Graham, dec'd., and directed the same to be transmitted to the senate, to receive the signature of their speaker—

And then he withdrew.

The speaker signed said enrolled bill;

Ordered, That the clerk deposit the same in the office of the secretary of state;

Mr. Garrett laid upon the table the following resolution;

Resolved, by the General Assembly of the state of Tennessee, That William Fugat, Isaac Vanbebber and Roger Ferril be, and they are, hereby appointed, justices of the peace for the county of Claiborne.

According to a rule of the senate, said resolution lies one day upon the table.

Mr. Smith introduced,

A bill to remove the place of comparing the polls for the elections in [the] counties of White, Overton, Frentress and Jackson—

Which was read a first time and passed.

Mr. Gammon who had withdrawn for amendment
A bill for the relief of those citizens of Hawkins county who purchased land of Thomas Johnson

Returned the same with an amendment,
was read and adopted.

The said bill, as amended, was then read a second time and passed.

A message from the house of representatives
Mr. Campbell, their clerk;

Mr. SPEAKER;

The house of representatives
in your resolutions to go into the election
entry taker for Humphreys county on
also, the appointment of justices of t

Humphreys county—also, that [the] public printer forward one copy of [the] acts to clerks as soon as practicable;

And then he withdrew,

On motion of Mr. Garrett;

Ordered, That Mr. Gammon have leave of absence till Monday next.

On motion of Mr. Williams;

The senate took up and proceeded to consider, a resolution submitted by him on the 5th inst. proposing to have transferred to the supreme court of the United States, two or more of the suits brought by Indian reservees against purchasers at the Hiwassee land sales, for final decision, and after some time spent therein,

The senate adjourned,

SATURDAY, OCTOBER 13th, 1827.

Mr. Lowry presented a petition of John Montgomery, of Blount county, praying the passage of a law, refunding to him two hundred and fifty dollars, expended by him in defending an action of ejectment brought by Josiah Danforth.

Ordered that said petition be referred to committee of claims

Williams, from the committee on the judiciary which had been referred

for the relief of appearance bail, reported, with an amendment in lieu of the whole

amendment was read and adopted.

1 bill was then read a first time and

tion, laid upon the table on yesterday.

ett, appointing justices of the peace county,

up and read;

On motion of Mr. Garrett,

Ordered, that said resolution lie upon the table indefinitely.

Mr. Lowry, offered the following resolution as a substitute for the resolution submitted by Mr. Williams on the 5th inst. and which was under consideration on yesterday.

Resolved, that it is the opinion of this General Assembly, that the agent of the state, Hugh L. White who has been appointed to conduct and manage reservation suits on behalf of the state, be requested to remove some one of said suits to the supreme court of the United States, if in his opinion said court will entertain jurisdiction of the same, and provided he believes the result will be different;

The said resolution was read.

On motion of Mr. Howard;

Ordered, That said resolution be laid upon the table till Tuesday next.

Mr. Garrett introduced,

A bill for the relief of such persons as may be sued by those claiming title to certain Indian reservations within this state.

Ordered, That said bill be referred to the committee on Indian reservations.

A message from the house of representatives, by Mr. Campbell, their clerk;

MR. SPEAKER;

The house of representatives have received and accepted the resignation of Jno. Clark, a justice of the peace for Rutherford county, also, the resignation of Wm. Williams, director of the bank of the state of Tennessee, which I am directed to deliver to the senate.

They concur in your proposed amendment to

A bill giving further time for surveying lands, lying North & East of the congressional reservation line and north of Tennessee river;

They have appointed a committee to act with

K SENATE

such committee as may be appointed by the senate, to ascertain and report what number of the acts and journals of the two houses shall be printed;

They have adopted a resolution to elect a director of the bank of the state, at 11 o'clock this day, in which they ask your concurrence.

And then he withdrew.

The resignation of Jno. Clark and Wm. Williams, received from the house of representatives, were each read and accepted.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended;

The resolution from the house of representatives to elect a bank director at 11 o'clock, was read and concurred in.

Ordered, That the clerk acquaint the house of representatives therewith.

On motion of Mr. Gray;

Ordered, That Mr. Greene of R., and Mr. Walker be added to the committee of propositions and grievances,

On motion of Mr. Smith,

Ordered, That Mr. Green of F., be added to the committee on banks.

On motion of Mr. Greene, of R.,

Ordered, That Mr. Huntsman be added to the committee on criminal jurisprudence.

The speaker and gentlemen of the senate repaired to the hall of the house of representatives, for the purpose of going into the elections set for this day, and were invited to seats within the bar.

The two houses first proceeded, by joint ballot, to the electing of an entry taker for Humphreys county, and upon collecting and counting out the ballots the speaker declared that James Langford, was duly elected entry taker for Humphreys county.

The two houses next proceeded to the election of a bank director, and upon collecting and count-

ing out the ballots, the speaker declared that William E. Anderson, was duly elected, a director of the bank of the state in the place of Wm. Williams, resigned.

The speaker and gentlemen of the senate returned to their own chamber and the speaker resumed the chair.

Received from the house of representatives—

A bill to establish a literary fund in the state of Tennessee—and,

A bill to amend an act passed 9th Oct., 1824, for the benefit of the estate of Henry Walker, deceased.

Which bills were each read a first time and passed.

A bill to authorize the register of East Tennessee to issue copies of Treasurers certificates for land sold in the Hiwassee district,

Was read a second time and passed.

A bill giving further time for surveying lands lying north and east of the congressional reservation line and north of Tennessee river, and which had been amended by message;

Was read a third and last time, passed and ordered to be enrolled.

Mr. Huntsman introduced

A bill to authorize Wm. Arnold to dispose of certain real and personal estate in the western district by lottery.

Which was read a first time and passed.

Mr. Brown, from the committee appointed to wait upon his Excellency the Governor, and inform him that the two houses are ready at any time to receive any communication he may wish to make them—Reported;

That the committee had performed the duty assigned them, and that His Excellency, the Governor, informed them that he would make a communication to both branches of the General Assembly on Monday at eleven o'clock.

Mr. Frey, who had withdrawn for amendment
A bill to authorise the drawing of a lottery to
build a bridge across Sycamore creek;

Returned the same, with a proposed amendment;

Ordered, That said bill, and amendment lie
upon the table;

And then the senate adjourned.

MONDAY, OCTOBER 15th, 1827.

Mr. Garrett presented a petition of Joseph Cobb
& others, praying to have revived an act of the
last session authorizing them to draw certificates
for interfering land claims.

Ordered, That said petition be referred to the
committee on land claims.

Mr. Lowry, from the committee of propositions
and grievances, to which had been referred,

A petition of John Hamilton and others, pray-
ing to be authorized by law to lay off and establish
a town at the mouth of Blue creek to be called
New-Salem;

A petition of sundry citizens of Maury county
praying that Lewis Harris be allowed to vend mer-
chandize without paying a tax therefor;

A petition of sundry citizens of Greene county,
praying that James W. Wiley be authorized to sell
the property of Robert G. H. Wiley for his main-
tenance.

A petition of sundry citizens of Haywood coun-
ty praying to be authorized to levy a tax of twelve
and one half cents on each hundred acres of land
for the purpose of building bridges, making roads,
&c.,—and,

A petition of sundry citizens of Maury county,
praying that Ephraim Brown be authorized to sell

spirituous liquors without paying a tax therefor—made a report thereon, which was read, and, the resolution therein contained was concurred in as follows;

Resolved, That the prayers contained in said petitions are reasonable, and ought to be granted,

Mr. Lowry, from the same committee, to which had been referred, a petition of sundry citizens of Knox county, praying that the salary of the Governor, Judges and other officers of government be reduced, made a report thereon which was read and the resolution therein contained was concurred in as follows;

Resolved, That the prayer contained in said petition is unreasonable, and ought not to be granted.

Mr. Lowry, from the same committee, to which had been referred, a petition of sundry citizens of Hardin and Perry counties, praying the passage of a law to authorise James Irland, on Tennessee river, to be entered in the 9th surveyor's district, made a report thereon, which was read and the resolution therein contained.

Ordered, To lie upon the table as follows;

Resolved, That the prayer contained in said petition is reasonable and ought to be granted.

Mr. Lowry, from the same committee, reported. A bill for the relief of Martha Childress widow of Thomas C. Childress, deceased.

Which was read a first time and passed.

Mr. Smith, from the select committee appointed to enquire into the compact between this state and the state of Kentucky, on the boundary line between the two states.

Reported that the line of boundary, and separation between the two states as agreed on in the first article of the compact, is as follows;

The line run by the Virginia commissioners, in the years 1779 and 1780, commonly called Walker's

lines as the same is now reputed and understood and acted on by the said states, their respective officers and citizens from the south eastern corner of Kentucky to the Tennessee river, thence with and up said river to the point where the line of Alexander and Munsell, run by them in the year 1819, under the authrity of an act of the Legislature of Kentucky, entitled an act to run the line between the states of Kentucky and Tennessee, west of the Tennessee river, approved February 8th 1819" would cross said river, and then with the said line of Alexander and Munsel to the termination thereof on the Mississippi river below New Madrid."

Agreeably to the provisions contained in the 3rd. article of said compact, the line has been run by Steele, a commissioner on the part of Kentucky and Looney on the part of Tennessee jointly from Cumberland gap west to Cumberland river and their surveys recognised by the legislatures of the two states, and by which that part of the boundary is permanently settled and no doubt does exist as to the line to which the jurisdiction of the two states extends.

In 1779, when Walker and Smith, commissioners on the part of Virginia, reached, (the North Carolina commissioners having returned) Walker proceeded by water with the baggage to the French lick, and Smith continued on with the surveyors to the trace leading from Kentucky to the said French liek; where he gave the surveyor directions and parted with him to meet the other commissioners—when he joined Walker, they proceeded down the river and met the surveyor on its bank, about two miles south of the line, owing as they supposed to a change in the variation of the needle, caused by large quantities of Iron ore in the neighbourhood. They then went into the proper latitude, and continued west to

the Tennessee river, then returned back to Cumberland, where they left it, and continued the line east, intending to pursue that course until it should touch the line run by the surveyor after Smith parted with him, but finding the country one vast extent of barrens, not furnishing trees to mark, they abandoned it, and returned home. This part of the line has not been run since the compact was entered into between the two states, and the great lapse of time, since it was run by Walker, and he having run a retrograde line, to correct the error committed by his surveyor, both now wearing the appearances of the same date, have caused, and there still does exist, some difference of opinion amongst the people in that section of country which of those lines should be recognised as the true boundary, but when the facts which occasioned the two lines to be run are known; and which is here stated, it is very evident, that the northern one, which was run by the commissioners themselves, is the one to which Tennessee has a right to claim jurisdiction.

The compact recognises the line from Tennessee river to the Mississippi as run and marked by Alexander and Munsell, which has been so recently done that it is well known by the citizens of both states who live adjacent to it.

The interest of the citizens residing east of Tennessee river and between Walker's line, and the true parallel of latitude of thirty six degrees thirty minutes north, is also made a subject of inquiry for the committee, and by reference to the fifth article of the compact, it appears that the vacant and unappropriated land, contained in the aforesaid boundary, is the property of, and subject to, the disposition of the state of Kentucky, and that she has the right to make all laws necessary and proper for disposing of, and granting said lands. The legislature of Kentucky, by their statute,

passed Dec. 28th, 1824, made provision for entering and appropriating so much of said vacant land as is situate between Walker's line and the true latitude of thirty six degrees, thirty minutes north, and between Tennessee river and Cumberland river, near the mouth of Obid's river, at twenty cents per acre, and for the remainder of said vacant land in said boundary, at ten cents per acre.

The line was run by Steele on the part of Kentucky, as your committee are informed, and entries made upon the vacant land north of it under the laws of said state. Entries were also made previously within said boundary, and in many instances, upon the same land, under the laws of Tennessee, and thus titles were created for the same lands under the authority of the two states conflicting with each other.

The legislature of Tennessee, at their session of 1825, passed a law directing the money to be refunded to those who had made entries, under the laws of this State, upon land in said boundary, which was the property of Kentucky, with a view to put at rest a contention which had produced much disturbance in that section of country.

The legislature of Kentucky have passed another law, dated Dec. 21st, 1826, reducing the price of said vacant land, in which they have again made provision for running a line in the latitude of thirty six degrees thirty minutes north, and have repealed her former act for running said line, and it has been run a second time, as your committee are informed by Matthews, a commissioner on the part of Kentucky, which is further south, and includes more territory than that which was run by Steele, and they are now making entries upon the land, as far south as the line last run.

The compact does not provide for running the line upon the latitude of thirty six degrees thirty minutes north, and on the part of Tennessee, it

has never been done, with a view to ascertain with certainty what lands Kentucky has a right to appropriate by virtue of the provisions contained in the compact and to avoid any further legislation. Upon this subject, your committee beg leave to submit the following resolutions:—

1st. *Resolved by the General Assembly of the State of Tennessee*, That it is expedient to provide by law for running the line upon the true latitude of thirty six degrees thirty minutes north, from Cumberland gap, west to the Tennessee river, and that the state of Kentucky be invited to appoint a mathematician to unite with such as may be appointed on the part of this state to run said line.

2d. *Resolved*, That it is expedient to make provision by law to refund the money to those who have entered lands under the authority of this state, north of the true latitude of thirty six degrees thirty minutes north, and which this state was not authorised under the compact to appropriate.

Respectfully submitted,

SAM'L G. SMITH, Ch'n.

The said report and resolutions were read at the clerk's table and concurred in.

A resolution received from the house of representatives on Saturday proposing to appoint a joint committee, to ascertain and report what number of copies of the acts and journals shall be printed;

Was taken up, read and concurred in.

Ordered, That the clerk acquaint the House of Representatives therewith.

A message was received from his Excellency Governor Houston, by Daniel Graham, Esq. Secretary of State, and read at the clerk's table as follows;

"Gentlemen of Senate, and of the
House of Representatives;—

"In legislating for a government like ours, where many of our most valuable institutions are found-

ed on experiment, the best informed minds could not in the earlier progress of things, determine with reasonable certainty upon the regulations and rules of action best suited to the circumstances of society, and the permanent good of the country. Experience alone can develop the fitness of measures and the salutary or pernicious influence of particular laws. It is a duty however, which you take pleasure in acknowledging, that you will examine with patience and great care into the nature and extent of alleged grievances and their proposed remedies. If the subject has received any lights from the history of our own times, or our own country, opinions can be formed with less difficulty, and nothing which is not in itself morally wrong, is more to be deprecated in a free country than excessive legislation.

“The simplicity of our laws in connexion with the certainty of their execution, is perhaps better calculated to inspire confidence in the citizen, and regard for the institutions of his country, than any other motive which can be presented to his mind. The necessity of all law grows out of the wants and interests of society, and when these are relieved or defended, we may always rely with much confidence on the virtue and intelligence of the people.

“In the early settlement of all parts of our country, the attention of the pioneers had been naturally and properly directed to collecting around them comforts and conveniencies, necessary to the sustentation of life, but with the progress of improvement, great and accumulating surplus products have arisen, which require artificial facilities in conveying them to market, in addition to the advantages afforded by our water courses in their natural state. Hence it has been that for many years past public attention has, by my predecessors in office been repeatedly called

to the subject of internal improvements:—All agree that it is a matter legitimately, if not exclusively within the scope of separate state jurisdiction, and all are equally agreed, that great and valuable improvements could be made within our state, at a comparatively moderate expenditure of the public funds.

“A chief obstacle to the attainment of these ends has heretofore been found in the selection of such points of commencement as would unite public opinion in their favour. Each individual, impelled by a feeling incident to our nature, attaches an undue portion of regard to the objects which have fallen under his more immediate attention and to the points more directly affecting the interests of himself or his particular constituents.—To obviate these conflicting interests, and to give confidence to all, that the system would in its range, embrace by regular and just succession every portion of the state, the appointment of skilful engineers has been recommended to your particular consideration. Their attention should be directed to a classification of all the objects to be embraced in the general plan; to the practicability and probable expense of such leading objects of general improvement as affect, to the greatest extent, the greatest portion of the community, and the comparative advantages resulting from the different modes of expenditure, by clearing out the natural channels, constructing canals, common turnpikes, or the more modern and popular system of rail ways,

“Our fellow citizens of East Tennessee, though able to furnish in the greatest abundance and of the best quality, flour and other articles of the first necessity, have heretofore been doomed to strive against the natural obstructions in the Tennessee river, shut out as they are from Mobile, the more natural, and perhaps the more profitable channel of commerce. Engineers employed by the Go-

vernment of the United States have for some time past been engaged in ascertaining the practicability of a Canal on the north bank of the Tennessee river, whereby the obstructions of the Muscle Shoals will be surmounted: their survey has not yet been completed, but we have much ground to hope that it will be fully made at no distant day, and that it will result in much substantial good to the people of Tennessee and Alabama.

It is greatly to be desired that at some period before the adjournment of the present session, such report could be received, as would enable the Legislature of this state to determine with reasonable certainty, on the nature and extent of interest which we should take in the enterprise.—The eastern section of the state is not alone interested in facilitating the ascending and descending navigation of the Muscle Shoals; several of our more populous, wealthy and cotton growing counties of the south are equally concerned.

Should the difficulties of navigation through the whole length of the Tennessee, be so strongly presented as to forbid the hope of their early removal, our attention should be the more promptly and zealously directed to the project of connecting the waters of the Hiwassee with those of the Coosa.—The intercourse between East Tennessee and South Alabama promises the most solid advantages to both parties. Supplies and provisions, important and necessary to Alabama, can at all times be furnished from Tennessee to Mobile and intermediate points, whilst our people could receive in return, not only cash, but groceries and other heavy articles of import, which are now procured through other channels after much delay and at great expense. Superadded to these, is the national consideration of warlike defence; for past experience has proved, that whilst the population of Kentucky and West Tennessee are mainly to be relied on

for defending from invasion the great emperium of the west, the brave and hardy mountaineers of East Tennessee are equally necessary to the protection of Mobile, and all the contiguous portions of the Gulph of Mexico.

"The developement of wealth in the middle counties of our state has not been more the result of favorable soil and climate, than of natural advantage and facility in the navigation of Cumberland river; that noble stream, has but few impediments to a safe passage for steam boats far above Nashville; the nature of these impediments is now so well understood that there would be but little danger of injudicious application of any means that might be appropriated to their removal. The time has now gone by, when the successful navigation of the Cumberland is considered by any portion of our citizens, as being exclusively beneficial to Nashville. The history and experience of the last seven years, has given ample testimony of the direct benefit resulting to every county west of the Cumberland mountain.

The deep richness of soil in all the counties watered by Elk, Duck and Cumberland rivers, is very unfriendly to the construction of public roads upon the ordinary plan; the population residing in the neighborhood of great and leading market roads, cannot with the labour and time justly devoted to that duty, continue such repairs as our present laws contemplate for all public highways. The existing laws, it is believed, are not unreasonable in their general provisions, and altho' more than one attempt has been already made to encourage private investment in turnpike stock, the terms of incorporation have in none, been sufficiently approved.

"The western district of the state is peculiarly blessed with streams intersecting the country, of gentle deep current, and susceptible of great

improvement at comparatively small expense.

"The wealth and population of the country has already, and without any adventitious aids from public funds or public institutions, progressed more rapidly and more steadily than had been hoped for even by the most sanguine anticipations. The claims of warrant holders are now all, or nearly all satisfied, and the scattered remnants of land that remain vacant and unappropriated, though belonging to the general government by the terms of the cession and compact, will never be of sufficient value, to defray half the expense of bringing them into market.—All reasonable calculation at present, justifies the belief that the memorials heretofore sent by the legislature, will at the next, or some early session of congress, be disposed of in a way to meet the wishes of Tennessee. A relinquishment of their title, and a privilege vested in our state authorities, to perfect grants would enable us to open offices convenient to the enterers, on a plan similar to that now pursued north and east of the reservation line; and whatever may have heretofore been deemed our truest policy in disposing of our vacant lands, to me it seems evident, that at whatever period we may open offices in the different counties of the western district, the system of forcing prices to the highest possible amount, ought to be abandoned. The first care of all governments should be, to provide that each individual should have a permanent home and residence. The difference between the highest and lowest product resulting to the state, from the disposal of these lands, can be of little public consideration, whilst to indigent individuals already in possession, or wishing to become purchasers, it may be matter of the greatest importance; and as the other two principal divisions of the state have already received a patrimony for public uses in some of its most valuable

lands, it may not be unreasonable in our fellow citizens residing west of the reservation line, to expect that any revenue hereafter derived from the lands in that section of country, should be chiefly expended amongst themselves for the purposes of general education and internal improvement.

"The peculiar condition of the people south of French Broad and Holston, continues to be a subject of remonstrance and petition: it has already been a source of much legislation, and although by some late enactments, it may be thought difficult again to open their case with any reasonable hope of advantage, yet it seems to me that their situations still entitles them to the very grave and serious consideration of the general assembly. —It is true, that according to all the ordinary rules governing compacts, the settlers are bound to pay, and without hesitation, the amount stipulated as the price of their lands; but it must at the same time be confessed, that the contract in some of its leading features, bears the stamp of obligation submitted to, under duress.

"The occupants of that country were with very few exceptions poor, and destitute of visible effects of any kind; they had migrated from the older states because they were poor; they had made small improvements at the imminent hazard of their lives, and had for several years formed a barrier between the Holston settlements and their savage foes:—The era of peace and prosperity to other parts of the country, found them in possession of their humble log cabins, unable to leave them in the hope of procuring better, and prepared in their minds to cling to the spot endeared to them by so many interesting recollections, whatever might be the terms of tenure imposed on them by the government. If in this situation they are forced to raise obligations on themselves which they might

then believe, and may have since found to be beyond their ability, should not the legislature, with the kindest feelings of parental regard, seek with sedulous anxiety for any circumstance of amelioration in the adjustment of claims yet due from them, which even-handed justice will admit

“The interest on all the instalments due from the purchasers at the Hiwassee sales has now become due, and the great balance of principal owing to the state from that class of debtors, will, by the terms of sale, be payable at a short period. A combination of circumstances meeting at the time of these sales, forced the prices up to a standard of value, which experience has shown to be wholly fallacious; a paper currency deluged the country, and being every where considered to be as legitimately the representative of property as specie itself, the facilities of procuring it baffled the calculations of the most cautious and prudent. When the day of sober reckoning came, and the true aspect of things was presented to us all, no one could boast of having seen further than his neighbor; the delusion had spread through all orders and conditions of society, and surely we should not now be backward in relieving, by every proper expedient, those who are still the victims of that period of general infatuation. The act of the last session of the general assembly, permitting the purchasers to make payment in the notes of the Nashville bank, was no less politic than humane; considerable collections were thereby effected in a species of fund which though not immediately available, will become so at no distant day.

“From the earliest history of our government, and even before we had existed as an independant State, the question of boundary and territorial limits had presented obstacles to the harmonious intercourse which ought ever to exist between sister republics. I am not aware that at this time there

can any possible misunderstanding arise as to our boundary of jurisdiction on the north; but in the application of one particular provision of the compact made with Kentucky in the winter of 1820, there seems to be a difficulty in construction, which ought no longer to exist. Acting on the spirit of compromise and conciliation ever entertained by us, it was conceded, that whilst Walker's line should continue to be the true jurisdictional boundary between us, the state of Kentucky should have the benefit and privilege of entering, and perfecting grants to all vacant land lying between that line and the true latitude of thirty-six degrees and 30m north. The terms of the compact made ample provision for ascertaining at any time the line of boundary, but there was no stipulation whereby either state could at her own pleasure or in any other way, establish or run the degree of latitude. More than two years ago the authorities of Kentucky, without our participation, fixed and run a line which she contends is the true line of latitude; and we have subsequently employed mathematicians on our part who have without the participation of Kentucky, taken observations and made a report differing materially from the views of our sister state. From this unsettled state of affairs, it is but reasonable to expect that unpleasant controversies will arise, especially between those citizens of the different states who reside on or adjoining the disputed territory, and it is very desirable that the legislature should, at the present session, take such definitive measures as will put the subject forever at rest.

"The cheering prospect which we have of a permanent fund for the establishment and support of common schools, is the source of much comfort and gratification to the heart of every patriot and friend to the perpetuity of our free institutions. It is not to be presumed that the limited means on

which we have had to commence, will enable us to mature any practical plan of operations within a year or two; but the good work has been seriously commenced, and we have every ground for reasonable hope that it will go on and prosper. Already has the fund set a part for that laudable object, increased to an amount which promises the means of much positive usefulness to that portion of the community for whose benefit and advantage, it was originally designed. No longer will the means of elementary learning be limited to those whose private resources are equal to the expense, but the road to distinction in every department of science and moral excellence, will be equally open to all the youth of our country whose ambition may urge them on in the contest of honorable emulation.

SAM. HOUSTON.

Executive Office,
Nashville, 15th Oct. 1827. }

On motion of Mr. Garrett;

Ordered, That one thousand copies of the above message be printed for the use of the members of the senate.

On motion of Mr. Green, of F.

Ordered, That Mr. Rucker and Mr. Bradford have leave of absence till to-morrow.

Mr. Brown laid upon the table the following resolution:—

Whereas, This General Assembly is desirous to dispose of the public business, and to adjourn its session as early as possible, therefore;

Resolved, That no bills, except from select or standing committees, shall be received after the first day of November next.

Mr. M'Means, the following:—

Resolved, That the judiciary committee be instructed to enquire into the most effectual mode of

collecting money from delinquent entry takers in this state, and that they report by bill.

Mr. Lowry, the following:—

Resolved, That a select committee be appointed on that part of the Governor's message, which relates to the purchasers in the Hiwassee district, with leave to report by bill or otherwise; and,

Mr. Cain, the following:—

Resolved, That Robert M'Kie, he and he is hereby appointed, a justice of the peace for the county of Wilson.

According to a rule of the senate, said resolutions lie one day upon the table.

The senate took up,

A bill to authorise the drawing of a lottery to build a bridge across Sycamore creek, which was laid upon the table on Saturday, together with an amendment offered by Mr. Frey,

Which amendment was read and adopted.

The said bill, as amended, was then read a second time;

And the question being taken thereon,

"Shall the said bill pass?"

And determined in the affirmative;

There being

AYES—12.

NOES— 3.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Cain, Frey, Garrett, Gray, Greene, of R., Huntsman, Lowry, Lytle, M'Means, Reynolds, Walker and Williams.—12.

Those who voted in the negative, are;

Mr. Brown, Greene, of F., and Howard—3.

And so the said bill passed a second time.

Received from the house of representatives.

A bill prescribing the manner of administering official oaths;

A bill for the appointment of additional trustees for the University of Nashville;

A bill more effectually to provide for the safe keeping of the estate of idiots and lunatics;

A bill for the benefit of Johnson Ferris, a revolutionary soldier;

A bill to divorce the persons therein named;

A bill more amply to provide for the poor;

A bill to authorise the county court to grant licence in certain cases;

A bill to amend an act, passed Nov. 20, 1826, to authorise James Rogers to open a turnpike road;

A bill to divorce Racheal Mawbry from her husband Adam Mawbry;

A bill for the benefit of the persons therein named;

A bill authorising the registration of wills and codicils executed out of the state;

A bill to repeal the second section of an act for the benefit of Noah Parker;

A bill to reduce the fees of the registers and secretary;

A bill to prevent free negroes and mulattoes from selling spirituous liquors;

A bill authorising a lottery for the improvement of the navigation of Hatchie river;

A bill to authorise Christopher Balkham to hawk and peddle without paying a tax;

A bill giving an occupant right to Thomas Peyton for 25 acres;

A bill to authorise executions to issue in certain cases;

A bill to repeal part of the first, second and third sections of an act, entitled "an act to prevent the depreciation of the Nashville bank paper in the hands of the good people of this state;

A bill more effectually to suppress the pernicious practice of taking excessive usury;

A bill to regulate the fees of clerks, sheriffs and printers on reported lands;

A bill to repeal part of an act to incorporate the town of Trenton and to legalize the official acts of the mayor and alderman of said town;

A bill for the relief of certain purchasers of land in the Hiwassee district;

A bill to provide for children whose parents live separate and apart from each other and for other purposes;

A bill to divorce Nancy Greenwood from her husband John Greenwood;

A bill to authorise the clerks of the several counties in this state to take the probate or acknowledgement of letters of attorney in the recess of court;

A bill for the relief of Robert Doughett;

A bill to divorce Elizabeth Ramsey from her husband Wm. Ramsey;

A bill to regulate the practice of judges in granting injunctions to stay proceedings at law;

A bill to repeal the laws creating the office of fourth and fifth judges of the supreme court;

A bill to encourage the building of mills in the western district;

A bill to authorise Wm. Smith, of M'Minn county, to hawk and peddle without licence;

A bill to provide for erecting a jail and penitentiary house in this state; and,

A bill more effectually to prevent obstructions in the navigable streams of this state;

Which bills were severally read a first time and passed.

A bill restoring Isaac Martin to the privileges of citizenship;

A bill for the benefit of Dickson academy;

A bill respecting Pilot Knob turnpike road;

A bill for the relief of Thos: J. Smith;

A bill to amend an act, entitled an act to extend

the limits and incorporate the town of Covington in the county of Tipton;

A bill for the relief of Sampson Black; and,

A bill for the relief of Wm. Reynolds;

Were severally read a second time and passed.

A bill to compel clerks of the county courts to reside in the county in which they hold clerkships;

A bill to amend an act, entitled an act to regulate the descent of real estate and to do away entails, to make provision for widows, and to prevent frauds in the execution of last wills and testaments;

A bill concerning fines, forfeitures and penalties expressed in pounds, shillings and pence, in some of the old statutes in this state; and,

A bill for the relief of sheriffs and collectors;

Were severally read a third time and passed.

A bill supplemental to an act, entitled "an act for the relief of the citizens of Hawkins county who have purchased lands of Thos: Johnson; and,

A bill to legalize the official acts of the persons therein named;

Were each read a third and last time, passed and ordered to be engrossed.

Mr. Garrett withdrew for amendment

A bill separating the offices of tax collector from that of sheriff; and,

Mr. M'Means

A bill to extend the term of the circuit court of Roane county.

And then the senate adjourned



TUESDAY, OCTOBER 16th, 1827.

Mr. Williams presented a petition of sundry merchants of Knoxville, praying the passage of a

law taxing merchants agreeably to their capital;

Ordered, That said petition be referred to the committee of Finance.

Mr. Frey, from the committee on claims to which had been referred,

A petition of James Houston, of Blount county, praying compensation for ammunitions, provisions and services rendered and furnished in 1788, at Houston's Station;

A petition of Micheal C. Dunn, of Davidson county, praying compensation for services rendered as sheriff of said county, in the year 1808; and,

A petition of John Montgomery, of Blount county, praying to have refunded two hundred and fifty dollars, paid by him as attorneys fees in defending suits brought by Josiah Danforth against him; made a report thereon, which was read, containing the following resolution:—

Resolved, That the prayers contained in said petitions are unreasonable and ought not to be granted.

Mr. Lowry moved to non-concur with said report so far as it relates to the petition of John Montgomery;

And the question thereon was taken,

And determined in the negative;

The question was then taken,

Will the senate concur in the report and resolution of the committee of claims?

And determined in the affirmative;

And so said report was concurred in.

Mr. Gammon, from the committee on internal improvement, reported

A bill to authorise Thomas Wheels to open and establish a turnpike road;

Which was read a first time;

Ordered, That Mr. Garrett have leave to withdraw for amendment the said bill.

A resolution, laid upon the table on yesterday by

Mr. Cain, appointing a justice of the peace for Wilson county;

A resolution of M'Means, instructive to the judiciary committee; and,

A resolution of Mr. Lowry, referring a portion of the governor's message to a select committee;

Were severally taken up, read and adopted.

Ordered, That the clerk acquaint the house of representatives with the adoption of the first of said resolutions, and ask their concurrence therein.

A resolution, laid upon the table on yesterday by Mr. Brown, limiting the introduction of bills to the first day of November;

Was taken up and read;

Ordered, That said resolution lie upon the table indefinitely.

The speaker appointed Mr. Walker and Mr. Garrett to be of the committee, created by Mr. Walker's resolution of the 2nd inst. to wait upon Gen. Wm. Carroll, &c.

The speaker also appointed Mr. Lowry, Mr. Brown, Mr. Huntsman, Mr. Walker and Mr. Howard, a select committee on Mr. Lowry's resolution, adopted to day.

On motion of Mr. Williams,

The senate resumed the consideration of the resolution submitted by him on the 5th inst., also, the substitute for said resolution submitted by Mr. Lowry, on the 13th inst.;

The original resolution and substitute were both read;

The question was then taken,

Will the senate adopt the substitute instead of the original resolution?

And determined in the negative.

The question then recurred upon adoption of the original resolution.

Mr. Brown moved to amend the said resolution

by striking out so much thereof, as refers the two cases mentioned therein, so as to leave the cases to be referred unspecified;

And the question was taken thereon,

And determined in the affirmative;

And so that part of said resolution was stricken out.

Mr. Gammon offered the following amendment to said resolution;

“Provided that the same shall be decided by the supreme court of this state, against the interest of the state of Tennessee;” and,

Mr. Brown the following;

“And provided, the congress of the United States, shall by law, authorise the supreme court to take jurisdiction thereof;”

The said amendments, were both read and accepted;

The question was then taken;

Will the senate adopt said resolution as amended?

And determined in the affirmative;

There being

AYES—17.

NOES— 1.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Cain, Frey, Gammon, Garrett, Gray, Greene, of R., Greene, of F., Howard, Huntsman, Lytle, M'Means, Reynolds, Rucker, Smith and Williams—17.

Those who voted in the negative, are;

Mr. Walker—1.

And so the said resolution was adopted.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The house of representatives have passed a resolution, that the committees on banks

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on land claims and on Indian reservations, act and report as joint committees, and that they in future be considered as such.

They concur in your resolution appointing Robert M'Kie, a justice of the peace for Wilson county.

The speaker has signed enrolled acts, entitled
An act to authorise the transfer of certain causes;

An act to authorise the sheriffs of Hawkins, Giles and Jefferson counties to appoint additional deputies;

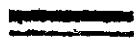
Which I am directed to deliver to the senate to receive the signature of their speaker.

And then he withdrew.

The speaker signed said enrolled bill;

Ordered, That the clerk deposit them in the office of the secretary of state;

And then the Senate adjourned.



WEDNESDAY, OCTOBER 17th, 1827.

Mr. Green, of F., presented a petition of sundry officers of the eighth brigade of the militia of this state, praying the passage of a law establishing brigade drills in the several brigades of the militia in this state annually, and that all commissioned officers be compelled to attend and encamp for at least ten days;

Ordered, That said petition be referred to the military committee.

Mr. Smith presented a petition of Wm. C. Briton, jailor of White county, praying compensation for the subsistence of Isaac Martin who was confined in said jail; also,

A petition of sundry citizens of White county, praying that John Dale, a revolutionary soldier, be

allowed to retail spirituous liquors in this state without paying a tax therefor; and, also,

A petition of sundry citizens of Overton county, praying that John Hammuck be authorised to retail spirituous liquors without paying a tax therefor;

Ordered, That said petitions be referred to the committee of propositions and grievances.

Mr. Rucker presented a petition of James W. Davis, praying a duplicate of a certificate warrant for 25 acres, be issued to him in consequence of the loss of certificate No. 648, for that amount; also; that he be authorised to enter said duplicate and two other certificates of the same amount, south and west of the congressional reservation line;

Ordered, That said petition be referred to the committee on land claims.

Mr. Brown, from the committee on enrolled bills, reported, that they had examined and found to be truly enrolled;

An act, supplemental to an act, entitled "an act for the relief of the citizens of Hawkins county who purchased land of Thomas Johnson," passed November, 1826;

An act to legalize the official acts of the persons therein named;

An act giving further time for surveying lands, lying north and east of the congressional reservation line and north of Tennessee river, and for other purposes;

An act, supplemental to an act, entitled "an act to authorise the drawing of a lottery to open and make navigable Sequatchee;"

A resolution, expressing the sense of this General Assembly, on the appointment of members to offices created by the legislature;

A resolution calling for certain information from the president of the Bank of the State;

A resolution directory to the public printer; and,
A resolution appointing a justice of the peace for Wilson county.

The speaker signed said enrolled bills and resolutions;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker;

A resolution, received from the house of representatives on yesterday, proposing to make the committees on banks, Indian reservations and land claims, joint committees;

Was taken up and read, and so much thereof as makes the committees on banks joint, was concurred in, and the balance non-concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

Mr. Gray laid upon the table the following resolution:—

Resolved, by the General Assembly of the state of Tennessee, That Simeon Walton, William Townsend, Samuel Billingsly, John Reeves, Francis M^r. Connel and Eli Kendall, be, and are hereby appointed justices of the peace for the county of Henry.

On motion of Mr. Gray,

The rule of the senate, requiring resolutions to lie one day upon the table was suspended;

The said resolution, was then read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A bill to authorise the drawing of a lottery to build a bridge across Sycamore creek,

Was read a third and last time;

And the question was taken thereon,

Shall the said bill pass?

And determined in the affirmative;

There being—AYES—11.—NOES.—9

The yeas and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Frey, Garrett, Gray, Huntsman, Lowry, Lytle, M'Means, Reynolds and Williams—11.

Those who voted in the negative, are,

Mr. Brown, Cain, Gammon, Greene, of R., Green, of F., Howard, Rucker, Smith and Walker.—9.

And so the said bill passed, and was ordered to be enrolled.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The speaker of the house of representatives, has signed the following enrolled bills;

An act for the relief of sheriffs and collectors;

An act, to amend an act, entitled "an act to regulate the descent of real estate, to do away entails, to make provision for widows, and to prevent frauds in the execution of last wills and testaments; and,

An act concerning fines, forfeitures and penalties, expressed in pounds shillings and pence in some of the old statutes in force in this state;

Which I am directed to deliver to the senate to receive the signature of their speaker.

And then he withdrew;

The speaker signed said enrolled bills;

Ordered, That the clerk deposit them in the office of the secretary of state.

Mr. M'Means, who had withdrawn for amendment,

A bill to extend the term of the circuit court of Roane county, returned the same with an amendment which was agreed to by the senate. The said bill, as amended, was then read a third time and passed.

Received from the house of representatives,

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A bill to establish a directory of the common school fund;

Which was read a first time.

On motion of Mr. Green, of F.,

Ordered, That said bill be referred to the committee on education and common schools.

Received from the house of representatives,

A bill appropriating a fund for the support of common schools in the state of Tennessee;

Which was read a first time.

On motion of Mr. Bradford,

Ordered, That said bill be referred to the committee on education and common schools.

On motion of Mr. Green, of F.,

Ordered, That

A bill to amend an act for the relief of Joel H. Dyer, executor, &c. be referred to the committee on banks.

Mr. Green, of R., withdrew for amendment,

A bill for the relief of Martha Childress, widow of Thomas C. Childress, deceased.

Received from the house of representatives,

A bill to amend an act, establishing a supreme court at Reynoldsburg;

Which was read a first time.

Mr. M'Means withdrew said bill for amendment.

Received from the house of representatives,

A bill to authorise the county court of Sumner county to emancipate certain slaves;

A bill for the relief of E. W. Boyle, register of Hardeman county;

A bill for the relief of Wm. Chambers, of Monroe county;

A bill to explain certain parts of the statutes against gaming, and for other purposes;

A bill for the relief of Wm. B. Carter;

A bill to improve the navigation of Elk river;

A bill to authorise the opening the navigation of the Caney Fork of Cumberland river;

A bill making an appropriation for the establishment of a penitentiary in the state of Tennessee;

A bill to provide for the safe keeping of estates of such confirmed and habitual drunkards, as are likely to squander and waste their property;

A bill regulating the fees of justices of the peace;

A bill to establish a female academy in the town of Fayetteville;

A bill for the relief of Wm. Carter sheriff of Carter county;

A bill for the relief of Eli Newland of Cocke county;

A bill to authorise the clerk of the county court of Bledsoe county to keep his office at his own house; and,

A bill to incorporate the towns of Bolivar and Purdy;

Which bills were severally read a first time and passed.

Mr. Lowry introduced

A bill for the purpose of funding the college and academy debt; and,

Mr. Huntsman introduced

A bill to authorise the county court of Haywood county to lay a tax for certain purposes;

Which bills were each read a first time and passed.

Mr. Howard introduced

A bill [to] tax private banking institutions;

Ordered, That said bill be referred to the committee on banks.

A bill to remove the place of comparing the polls for the elections in the counties of White, Overton, Jackson and Fentress;

Was read a second time and passed.

A bill to establish toll bridges across the Forked deer and Hatchie rivers;

Was read a third and last time, passed and ordered to be enrolled.

Received from the house of representatives,

A bill to repeal all laws limiting the number of acres of land to be entered north and east of the congressional reservation line;

Which was read a first time and passed.

On motion of Mr. Williams,

Ordered, That

A bill more effectually to prevent champerty and maintainance in certain cases,

Was referred to the judiciary committee.

And then the senate adjourned.



THURSDAY, OCTOBER 18th, 1827.

Mr. Cain, presented a petition of a Militia company of the 72nd regiment, commanded by capt. G. B. Edwards, praying to be attached to the 17th regiment;

Ordered, That said petition be referred to the Military committee;

Mr. Brown, from the committee on enrolled bills, reported, that they had examined and found to be truly enrolled;

An act, to establish toll bridges on Forked Deer and Hatchie rivers; and,

An act, to authorise the drawing of a lottery to build a bridge across Sycamore creek.

The Speaker signed said enrolled bills,

Ordered, That they be transmitted to the house of representatives, to receive the signature of their Speaker;

Mr. Frey from the committee on Claims, reported

A bill for the relief of John Luttrell; and,

A bill for the relief of Elizabeth Wheeler,

Which bills were each read a first time and passed.

Mr. Frey from the same committee, reported,

A bill for the relief of Robert Gamble,

Which was read a first time.

Mr. Greene (of Roane,) offered two amendatory sections to said bill, which were read and accepted.

The said bill as amended was then passed.

Mr. Brown, laid upon the table the following resolutions and remarks.

1st. *Resolved by the General Assembly of the State of Tennessee,* That the constitution of the United States should be so amended, as to give the election of President and Vice-President directly and conclusively to the people, preserving the present relative weight of the several states in the election.

2nd. *Resolved,* That many of the measures of the present administration of the General Government are injurious to the interest, and dangerous to the liberties, of the country.

3rd. *Resolved,* That the surest remedy for these evils, now in the power of the people, is the election of Andrew Jackson to the chief magistracy of this union.

The mode of appointing the President, as now prescribed by the federal constitution, has been the source of so much inconvenience, and is the subject of such general discontent, that a sufficient reason for recommending its amendment, need not be sought in the experimental nature of the instrument itself. The evils inherent in the last election, and the anxieties connected with the next, give it a claim to public deliberation, which none but the selfish and servile can disregard. It cannot be fairly denied, that the choice of our chief magistrate, was intended to spring from the free and unobstructed judgment of the people; and it must be admitted, that in the late election, which

was conducted according to the *forms* of the constitution, that intention was disappointed. A charter, the letter of which conflicts with its spirit, the details of which counteracts its principle, is entirely defective. On the occasion alluded to, the candidate who, in the primary election, obtained the highest number of votes, and at the moment of final completion, bore incontestible evidence of being the choice of a majority of the American people; evidence which subsequent popular decision have confirmed, was superceded by a combination, that triumphed only because the competition was transferred to a small pre-existing body of electors, of which one party of the combination, was an influential member.

The crisis was calculated, to awaken the worst designs of selfish ambition; and if the motives of men are to be determined by their actions, seems to have had its sinister opportunities fully employed, according to Mr. Adams's declaration in his book on the Fisheries, as well as to recollections and convictions resulting from public observation of public men.

Political hostility and personal estrangement, had for several years, and on momentous subjects, separated himself and Mr. Clay. No approach to union, no inclination for amity, was manifested by either, until it was ascertained, that as long as they obeyed the principles and supported the opinions, which had formed their respective pretensions and produced their avowed opposition, the power at which they grasped, was not to be gained; that continued disunion would frustrate, and that instant combination would gratify their mutual ambition. Then, and not till then, long cherished distrust was mutually forgotten; oft expressed opinions were practically renounced, and adverse principles openly abandoned. Each became the artificer of that man's promotion, whose

depression, up to the moment, had been a chief object of his exertion. The highest amount of Executive power was divided, and the closest fraternity of political fortune, was established between them. What is enormous need not be exaggerated; what is flagrant requires no demonstration. Mr. Adams desired the office of President; he went into the combination without it, and came out with it. Mr. Clay desired that of Secretary of State; he went into the combination without it, and came out with it. Of this transaction the simplest history is the best analysis. Where a change of political principles or even private estimation, is the immediate cause of personal gain, reciprocally to the agent and the subject of the change; impurity of motives is necessarily concluded. Whoever expects otherwise, must expect the laws of reasoning, imprinted by the Deity on the human mind, to be altered. It is equally certain, that a daring ingratitude is displayed by the citizen who insults the majority of the people, with the very power which their generous confidence had placed in his hands. To believe when proof is insufficient, is not greater folly, than to doubt when it is convincing; and where circumstantial evidence is conclusive, positive testimony, which is always liable to a corrective collation with circumstances, is rather curious than valuable. It was but the other day, that an atrocious murder in the enlightened state of New York, was detected and punished upon circumstantial evidence; and surely a process of reasoning, which will sanction the destruction of one man's life, is rigorous enough to determine the conduct of another. Those who demand stronger evidence of an improper understanding between Mr. Adams and Mr. Clay, than that afforded by their combination itself, must be prepared to contend, that it is not in the nature of things, for circumstances to evince guilt, and must

be disposed to suspend their judgments, until the parties confess their crimes. It ought, however, to be remembered, that all our knowledge of motives and character, every decision we form respecting mental occurrences, is drawn from the consideration of circumstances, and that it is out of the ordinary course of things, for the confession of the accused, to precede the sentence of the proper tribunal.

The members of this General Assembly, therefore, in protesting against the election of Mr. Adams as impure and anti-republican, are sensible of no precipitancy of judgment, or too great licence of language. Unwilling to assert what is doubtful, they are determined to speak what is true; nor do they deem it necessary to fortify their protest by the numerous collateral proofs to be desired, either from the contradictions, contained in the studied vindication of the Secretary of State; from the confessions of his friend, his colleague and his champion, or from the pertinent and concurring reminiscences of respectable witnesses. The object of these resolutions being remedial, not vindictive, it remains, after exemplifying the actual danger of the present plan, to shew the probable advantage of the amendment proposed.

In the first place, by giving the election directly and exclusively to the people, we shall conform to the fundamental principles of our government, which was departed from in the formation of the constitution, from apprehensions, which experience, as far as it has gone, proves not to have been well founded. Another benefit will be, that the dependence of the governor on the governed, so desirable to a republic, will be thus effectually secured. A consideration of equal moment, both as it regards the theory and practice of our government, is to be found in the fact, that an election placed entirely in the hands of the people, must result in

the expression of their choice. This will exclude the formidable evils of previous cabals, concomitant corruption and subsequent resentments. The people will be satisfied, with their own work, and at succeeding elections, will deliberately confirm or prudently correct their former preference. Nor is it probable that, thereby purity of elections would be obtained, at the expence of public tranquillity. The turbulence apprehended by the framers of the constitution, is less likely to be excited, by the progress of a fair and open election, than by the contentions sure to arise, under the narrow system, between parties inclining to practice, and parties endeavoring to defeat corruption. Besides the people of the United States are further advanced in the knowledge of self government, than they were when the constitution was adopted; more capable of forming a prudent choice, and of avoiding those convulsions, to which a less informed community might be exposed, by the immediate exercise of a right so important. The division of the union into states and the consequent modification of the elective process, will have a tendency to limit, within moderate bounds, the effect of any agitating impulse. And it should never be forgotten, that when any faculty of government is susceptible of salutary exertion by the people, to lodge it with a body of trustees for their benefit, is an odious and pernicious departure from the cardinal principles of free government. These are some of the reasons which may be assigned in favor of the first resolution.

As experience proves that the present system has a tendency to destroy the purity of elections, it also shows that a bad administration is likely to spring from, and re-produce an impure election. When a president gets into power with so small an "approach to unanimity," as to be indebted for his office to the rewarded support and obvious ter-

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giversations of his most inimical competitor; the motives which reduced him to this debasement, will naturally prompt him to administer the government, not with a view to the public welfare, but with an eye to his own popularity. Hence those branches of policy which time has sanctioned, and the fruits of which, tho' nutritious and substantial, are neither captivating by novelty, nor dazzling by splendor, will be neglected for visionary and ambitious schemes, devised to amuse the imagination of the public, and to reflect on their authors the credit of superior patriotism, invention and sagacity; with this delusive machinery, will be combined the influence of executive patronage, which in most countries is mighty, and even in our own is powerful. This great engine will be perverted from its rightful use, to the purchase of praise for the executive, and aspersions of its adversaries; and should eminent services and virtue render any citizen a dangerous competitor for the presidency, slanders proportioned to his merit will be fabricated by interest and imposed on credulity. Such is the *natural history* of power unjustly acquired in a free country. Since the last election accordingly, the attention of the general government averted from the salutary relations, which, for a series of years, had secured for us the enjoyment of a productive commerce, has been devoted to the formation of chimerical and intrusive alliances, the avowed object of which was, an outrage upon the spirit and independence of the nations, whose religion and laws it was proposed to subject to our kind control and supercilious care. The mischief of this ambassadorial crusade—of this egregious departure from that modesty and reserve (the dictates of dignity and prudence) which had exalted us in the family of civilized nations, promises to equal the absurdity of its conception. Besides the unnecessary and enormous amount of public mo-

ney expended, and the ridicule and censure of foreign nations, to which this strange embassy has exposed us, it will be well for our country if it involves us in no other and greater calamities.

To suit his theory to his practice, the president claims almost boundless authority for the executive—ejects the senate, from all participation in the institution of embassies and the commissioning envoys—compares the influence of the constituents on the representative to the effect of paralysis on the human body; in the true spirit of arbitrary condescension, he displays to the nation fantastical projects of benefaction and improvement, befitting the gracious king of star-gazing subjects, rather than the responsible agent of a free people. Nor is the profusion, with which public money is expended, and the mismanagement of the government abroad, greater than its profligacy at home. The chief member of the cabinet, whose duties require his greatest sagacity, and most intense application, annually deserts his department and displays himself as an itinerant *rhetor* at electioneering feasts, exceeding some of his colleagues in this official degradation, only as far as he exceeds them in ability. *In the days of Washington and Jefferson it was not in this manner that the great officers of state were employed.* Neither Hamilton nor Madison was seen traversing various states at seasons of election, to rise before carousing multitudes, and to pour forth praises on the president in office, whilst the flood-gates of defamation were opened against his expected competitor. Those great men never dealt in boisterous harangues, unbecoming the gravity of statesmen—in banquet bravadoes, consistent neither with decency nor courage; nor in bold assertions, bearing no comparison with facts. One was devotedly engaged in the definition of our rights at home, and in the expansion and security of our interest abroad, now violated and neglected.

The other was seduously employed in the creation of a system of economy and credit, now impaired and abandoned; whilst both had exerted their mighty intellects in the formation of that bond of national union, which it is the earnest and ardent desire of this General Assembly to maintain and perpetuate. They have made this brief, but, in their opinion, impartial reference to the conduct of the present administration, in support of their second resolution.

In regard to the third resolution, it will be sufficient to say, that the acknowledged popularity, the established fame, and well-tryed patriotism of ANDREW JACKSON designate him as the candidate most capable of, and most deserving a successful competition with Mr. Adams. Here he has been known from the dawn of manhood, through the vicissitudes of life and fortune, in peace and in war, and we speak the sentiments of our constituents, as well as our own, when we declare, that the fire of youth never impelled him beyond the bounds of honor, and that the coldness of age has not made him deaf to the voice of patriotism. As a man, he has always enjoyed our peculiar esteem, and as a public agent, our highest confidence. The force and fitness of his intellect, we have never found inferior to the grandeur of his character, or the lustre of his fame; conspicuous for the charities of private life, and alone doubtful of his public abilities; he has seldom left its sacred retreats, without earning renown for himself and glory for his country. But the retreats of private life are no longer sacred. This beloved citizen, this genuine republican, venerable for his age, illustrious for his services, and still more illustrious for his inflexible patriotism, has seen, not only his conduct distorted by slander, and his glory tarnished by calumny, but the partner of his bosom traduced and exposed for the sport of the

idle, and the malice of the infamous. That couch which has been so often forsaken, that others might sleep in safety and peace; that breast that has so often braved danger, that others might not even feel its alarms; which felt a stain on the honor of the country, like a stab into its own vitals, has been invaded and cruelly outraged. That some of the members of the present administration of the federal government, are accountable for the slander and persecution of Gen. Jackson and his wife, is reluctantly, tho' solemnly asserted. No moral distinction can be drawn, between the act of hiring a man to commit a crime, and that of rewarding him after he has committed it; and it is notorious, that the prostituted merchants, who invent and circulate these slanders are the continued objects of ministerial favor, patronage and pay, hired with the money of the very people, whose willing gratitude and just admiration are the real causes of this defamation and rancour. This foul injustice not only aggravates the demerits of its procurers, but should endear to his country, the hero who sustains it. As citizens of Tennessee, we feel it our especial duty to denounce it, and to proclaim, our proud, our fervent, and our increased attachment, to the candidate and the cause of the people.

Resolved, That the governor cause to be furnished to each of our senators and representatives in congress, a copy of the foregoing resolutions and of the remarks accompanying the same.

According to a rule of the senate, said resolutions lie one day upon the table.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The house of representatives, concur in your resolution, calling for certain information from the Bank of the State of Tennessee; also, in

NO SENATE

your resolution calling on the old state bank, for certain information, with an amendment, by striking out the words "and if so, in what instances"—In which they ask your concurrence therein.

They have adopted,

A resolution, appointing Isaac Taylor and Turner Lane, to examine the books and papers of the surveyor's office of the third surveyor's district; also, a resolution that the senate meet the house of representatives in their hall on Tuesday next, at 11 o'clock, A. M. for the purpose of electing a Treasurer of West Tennessee, a surveyor for Sullivan county, and an entry taker for Morgan county—In which they also ask your concurrence.

And then he withdrew;

The message from the house of representatives, proposing an amendment to the resolution calling on the old bank of the state of Tennessee for certain information,

Was read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

Mr. Gammon laid upon the table the following resolution:—

Resolved, That the committee on banks, take into consideration the propriety of reducing the salary of the secretary of state; and, also, the commissions of the Treasurers for receiving and paying out monies.

The rule of the senate, requiring resolutions to lie one day upon the table was suspended;

The said resolution, was then read and adopted;

Mr. Huntsman laid upon the table the following resolution;—

Resolved, That the judiciary committee be instructed to enquire into the expediency of passing some law authorising the purchaser (under the state) of any piece of land in the Hiwassee district, to recover from the reservee the value of im-

provements that such purchaser may have made, against any reservee or person claiming under such reservee; when the land may be recovered by such reservee, and that they have leave to report by bill or otherwise.

According to a rule of the senate, said resolution lies one day upon the table.

The senate, again, resumed the consideration of

A bill to repeal all laws heretofore passed, authorising the sale of school lands,

And after some time spent therein,

The senate adjourned.

FRIDAY, OCTOBER 19th, 1827.

A resolution laid upon the table on yesterday by Mr. Huntsman, directing the judiciary committee to enquire into the propriety of passing a law, authorising purchasers of land in the Hiwassee district, (of the state) to recover the value of their improvements, from Indian reservees upon their recovering land from any purchaser;

Was taken up, read and adopted.

A resolution from the house of representatives; appointing Isaac Taylor and Turner Lane, to examine the books and papers of the surveyor's office of the third district;

Was taken up, read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith;

A resolution, received from the house of representatives on yesterday, proposing to elect a Treasurer of West Tennessee, a surveyor for Sullivan county and an entry taker for Morgan county, on Tuesday next;

Was taken up and read;

Ordered, That said resolution be laid upon the table indefinitely.

The senate took up and proceeded to the consideration of the resolutions and argument laid upon the table by Mr. Brown, on yesterday, on the subject of amending the constitution of the United States in relation to the election of president and vice president;

Which resolutions and argument were read.

Mr. Huntsman offered the following, as an additional resolution, to Mr. Brown's, which was read.

Resolved, That our senators in congress be instructed, and our representatives requested, to use all fair and honorable means to promote the election of Andrew Jackson to the chief magistracy of the United States, and to carry into effect the foregoing resolution;

And the question thereon was taken,
Will the senate adopt said resolution,
And determined in the negative,
There being

AYES—5.
NOES—15.

The ayes and noes being required;
Those who voted in the affirmative, are;
Mr. Bradford, Garrett, Green, of F., Huntsman,
and Williams—5.

Those who voted in the negative, are,
Mr. Speaker Hall, Brown, Cain, Frey, Gammon,
Gray, Greene, of R., Howard, Lowry, Lytle, M^r.
Means, Reynolds, Rucker, Smith and Walker—15.

And so the said resolution was not adopted.

Mr. Bradford then offered the following resolutions, as substitutes for Mr. Brown's resolutions:—

Resolved; That our senators in congress be instructed, and our representatives requested, to continue their best exertions to procure such an amendment to the constitution of the United

States, as that the election of president and vice president, in no event whatever, devolve upon congress, but that the same be confided alone in the people of the United States, the legitimate source of all power.

Resolved, That the entire confidence of this General Assembly, in the integrity and patriotism of General-ANDREW JACKSON, remains unimpaired, and that a confident hope and belief is entertained that he will be selected to the highest office within the gift of the American people.

The said resolutions were read;

And the question was taken thereon,

Will the senate adopt said resolutions in lieu of the resolutions offered by Mr. Brown, and which are now under consideration?

And determined in the negative;

There being

AYES— 4.

NOES—16.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford, Garrett, Huntsman, and Williams.

4.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Cain, Frey, Gammon, Gray, Greene, of R., Greene, of F., Howard, Lowry, Lytle, M'Means, Reynolds, Rucker, Smith, and Walker.—16,

And the said resolutions were not adopted.

The question then recurred on the adoption of the resolutions and argument of Mr. Brown, and after some further time spent therein.

The senate adjourned.

SATURDAY, OCTOBER 20th, 1827.

Mr. Gray presented a petition of sundry citizens of Henry county, stating that there are two mills in the vicinity of Paris, the ponds of which are thought to be injurious to the health of said town, and praying the passage of a law to authorise the appropriating a part of the navigation tax to the purchase and pulling down of said mills

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Huntsman, from the committee on banks, to which had been referred a resolution from the senate, instructing them to enquire into the best plan of securing the ultimate redemption of the Nashville Bank paper now in the treasury and Bank of the [State,] or which may hereafter be received therein; and also, the best plan of converting them into sound funds, if it be not practicable to obtain collateral security for its ultimate redemption; beg leave to report

That they have had the same under consideration, and have come to the conclusion to accept of the proposition of the Nashville Bank made in their expose to this legislature, as will be more fully seen by a reference thereto, as the best mode of converting said paper into sound funds.

They have also had under consideration the resolution of the senate, instructing them to enquire whether any reduction, and to what amount, ought to be made in the salaries of the officers of the State Bank, and what additional duties, if any, ought to be performed by the president, and beg leave to report

That they recommend the passage of [a] law to curtail the salary of all the agents to fifty dollars where the amount of money belonging to his county for loan, does not exceed ten thousand dollars, and one half per cent. upon the amount for loan

in said county thereafter, so as not to exceed one hundred dollars in any case.

They have also had under consideration a resolution instructing them to inquire and report, whether any bank, or banking establishment, has been opened, or established in this State, not chartered by the laws of this State, and if any, whether such bank, or banking establishment, has paid the tax to which such institutions are liable by an act of the General Assembly, passed 22d of Nov. 1817, and beg leave to report

That there are several banking establishments, not chartered by the laws of this State, now in operation; and which have not paid the tax mentioned in said act, commonly called the fifty thousand dollar tax.

They have also had under consideration a resolution instructing them to enquire into the propriety of reducing the salary of the Secretary of State, and also the salary of the Treasurers of this State, and beg leave to be discharged from the further consideration thereof, as not falling within their jurisdiction.

They have also had under consideration a resolution to appoint a committee to examine the books and concerns of the Bank of the State of Tennessee, and report its situation and condition; also, to call on the president and cashier of said bank, and request their aid in such examination; and beg leave to recommend the adoption of said resolution; and that Mr. Smith, and Mr. Green, of F., of the senate, and Mr. Huling, Mr. Brady, and Mr. Rogers, of the house of representatives, be appointed said committee.

They have also had under consideration a resolution instructing them to inquire into the expediency of amending the charter of the Bank of the State of Tennessee, that a greater amount of money should not be loaned to any borrower, at any

one time, than seventy-five dollars, and that said committee enquire whether it would be politic to continue such loans twelve months instead of ninety-days, and upon the renewal of said notes to pay in half the principal; and beg leave to report

That it is inexpedient to adopt any of the measures in said resolution at this time.

All which is respectfully submitted.

A. HUNTSMAN, Chairman.

The said report was read at the clerk's table.

Ordered, That said report be laid upon the table for consideration.

Mr. Greene, of R., from the committee on Indian reservations, to which had been referred a bill for the relief of Benjamin Bond, reported the same with an amendment,

Which was read, and accepted.

The said bill was then read a first time, and passed.

Mr. Garrett, who had withdrawn, for amendment,

A bill to authorise Thomas Wheeler, of Anderson county, to open a turnpike road; and,

A bill to separate the office of tax collector from sheriff, returned the same without amendments.

Ordered, That said bills be laid upon the table.

Mr. Greene, of R., who had withdrawn, for amendment,

A bill for the relief of Martha Childress, widow of Thomas C. Childress, deceased, returned the same with an amendment in lieu of the whole bill.

Ordered, That said bill and amendment lie upon the table.

The speaker laid before the senate the following communication from the president of the Bank of the State of Tennessee, which was read at the clerk's table as follows:—

“In compliance with the resolution of the General Assembly of the State of Tennessee, dated 11th

October, 1827, calling for information as to propositions from the Nashville Bank, to the directors of the Bank of the State of Tennessee, for the redemption of the notes of the Nashville Bank, received under the law of 1826, the undersigned respectfully reports to your honorable body

"That, after the lapse of some time in negotiations, when it was satisfactorily ascertained, that only \$8,538 82, in specie, could be received from the Nashville Bank, in exchange for that amount of its paper; it was deemed advisable by the directory of the Bank of the State, to make some suitable arrangement with the Nashville Bank, whereby the payment of the notes due this institution might be the more speedily collected or the interest thereon secured; accordingly, the following resolution was adopted:—

"*Resolved*, That E. S. Hall and Thomas Washington, be, and are, hereby appointed a committee, in conjunction with the president of this board, to confer with the directors of the Nashville Bank, upon the subject of the best means to be adopted in order to secure, in the most speedy and sufficient manner, the payment to this bank of the notes of the Nashville Bank held by this bank.

"*Resolved*, That the authority of said committee's confined to making and receiving propositions to and from the Nashville Bank, and reporting the same to this bank, which shall then be subject to final ratification or rejection by this bank."

Which said committee reported verbally to the directory of this institution, that no satisfactory arrangement could be consummated. That no official propositions was made from the directory of the Nashville Bank. This would probably be a satisfactory response to the aforesaid resolution; but as the resolution seems to imply a knowledge of a rumor of some proposition, it is here deemed advisable to state, further, for the information of your

honorable body, that the said committee did report, at the time aforesaid, that several of the directors of the Nashville Bank, were willing to pay interest on all the notes of the said bank belonging to this institution, provided the Bank of the State would deposit the same in the vaults of the Nashville Bank, take a certificate of deposit, continue to loan the said fund, and permit the interest account to be kept in the Nashville Bank. To this, the directory of the Bank of the State refused to assent, not because they had not the utmost confidence in the cashier and directors of the Nashville Bank, but because they had equal confidence in the officers of their own institution, and for other reasons, which will readily suggest themselves to your honorable body.

"A copy of the resolution adopted by the Bank of the State, appointing the committee, was furnished the Nashville Bank, and no written answer thereto was ever received by this bank from that institution. All which is respectfully submitted.

L. P. CHEATHAM, President
of the Bank of the State."

"Bank of the State, Nashville, 19th Oct. 1827."

On motion of Mr. Howard.

Ordered, That sixty copies of said report be printed for the use of the members of this General Assembly.

Mr. Howard, from the joint committee of finance, made the following report:—

"The committee of Finance, who have had under examination the accounts of Thomas Crutcher, Treasurer of West Tennessee, report that they find said Treasurer chargeable with the revenue for the years 1825 & 1826, to wit:—

Revenue collected by
the several sheriffs
of W. Ten. for the

year 1825, \$29,156 43 1-2

Revenue by clerks of courts of pleas & quarter sessions for the year 1825,	19,961 30	
Clerks of the circuit courts same year	3,079 60	1-2
Supreme and chanc- ery court clerks same year.	515 54	3-4-52,712 883-4

Revenue collected by
the several sheriffs
in West Ten. for the
year 1826, \$30,989 00 3-4

Revenue by clerks
county courts for
1826, 24,957 70

Revenue by clerks
circuit courts for
1826, 2,491 33 1-2

Revenue by clerks
supreme & chance-
ry courts, 347 36 58,785 40 1-4

\$111,498 29

The committee fur-
ther find said trea-
surer chargeable
with this amt. paid
over by the treasu-
rer of E. Tenn. \$11,489 15

Amt. in the hands of
the treasurer on
settlement in 1825, 67,962 79 3-4

Uncollected revenue
from delinquent
sheriffs for sundry
years past, 6,000 00

Revenue rec'd from delinquent clerks for the years 1822, 1823, 1824, & 1825,	2,027 00	87,578 94 3-4
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Total \$199,077 23 3-4

And the committee further find, that the treasurer upon settlement is entitled to the following credits, to wit:—

For amount paid the members of the general assembly for the year 1825,	21,167 4	
For am't p id clerks and door keepers for year 1825,	2,880 00	
Do. do. the members of General Assem- bly, 1826,	16,123 00	
Do. do. clerks and door keepers for same year,	2,052 00	45,175 15
Do. do. sundry appro- priations by the Gen- eral Assembly for stationary, fuel, sun- dry printing, &c.	2,952 67	
For amount paid Heis- kell & Brown, and Maury, for printing acts and journals of General Assembly for 1825 and 1826,	14,638 32	
For amount paid D. Graham, for house rent,	110 00	
For amount paid Heis-		

kell & Brown for Scott's revisal,	38 00	
For am't paid D. Gra- ham for land claims,	688 12 1-2	
For amount paid judge Haywood and Robert L. Cobbs, esq.	1,000 00	16,474 40 1-2
For am't paid Gen. La Fayette's expenses,	3,826 50	
For amount paid ex- pences for moving Secretary's office,	153 00	
For amount paid Gen. William Brady's ex- pences to South Carolina as agent to attend to the es- tate of Lee,	384 00	
For amount paid His excellency William Carroll's two years salary,	4,000 00	
For amount paid D. Graham secretary of State salary two years,	1,500 00	
For amount paid by secretary of state for postage and station- ary from September 1825, to October 1827,	1,212 14	11,075 64

For amount paid sal-
ary of the judges of
the supreme court,
(to wit:) Judges,
Haywood, White,
Catron & Crahb up
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to 1st day of October, 1827,	10,800 00	
For amount paid Judges Greene, Hays & Cook, special judges	460 00	
For amount paid Judges Mack, Stewart, Williams, Haskell, Humphries, Hamilton, & Kennedy, circuit judges salary, 1st October, 1827,	16,871 00	
For amount paid attorneys general,	2,952 37 1-2	
For amount paid criminal prosecutions,	4,571 44 1-4	
For amount paid Judges certificates for surveyor's plats	150 00	35,804 80 3-4
For amount paid brigade inspectors,	231 88	
For amount paid surveyors for No. of entries	41 80	
For amount paid taxes released by county courts,	1,961 12	
For amount paid commissioners for settling with clerks of the county and circuit courts,	945 00	
For amount paid for taking enumeration	1,193 06	

For amount paid for
Wolf scalps,

2,998 00

7,370 86

And your committee
further find that
said Treasurer is
entitled to a credit.
The sheriffs com-
missions for collec-
ting revenue for the
year 1825, amount-
ing to \$29,156 43
1-2 at 6 per cent.

1,749 38 1-2

And the further sum
of,

9,135 68 1-8

Being one third of the
revenue collected by
the sheriffs, as a
state tax for the year
1825, which sum
was directed to be
paid over to the
county trustees, by
act of the General
Assembly, after de-
ducting sheriffs com-
missions.

And the further sum,
as commissions paid
the several sheriffs
for collecting the
sum of \$30,989 00
3-4, for the year 1826

,1,859 34

Also, the further sum,
being one half of the
state tax, collected
by the sheriffs for
the year 1826, which
was directed, by act

of the General Assembly, to be paid over to the trustees of the several counties,

14,564 83 1-4

Also, the further sum paid or allowed to the clerks of the County, Circuit, Chancery and Supreme courts as commissions for collecting \$51,352 90 3-4 at 2 1-2 per cent.

1,283 82 1-4

Also the further sum for commissions at 3 per cent. on \$108,732 80 1-4 received by said treasurer as public revenue for the years 1825 and 1826,

3,261 98 1-4

And your committee further find that there is in the hands of said treasurer of uncurrent notes, on sundry banks charged him,

3.154 00

Also uncollected re-

venue for the years, 12,126 00 47,135 04 1-2

Cash on hands

36,041 28

Total \$199,077 23 3-4

Respectfully submitted

T. A. HOWARD,
Chairman Committee of Finance."

Ordered, That said report lie upon the table.

The senate again took up, and proceeded to consider, the resolutions and argument submitted by Mr. Brown on Thursday last, and which were under consideration on yesterday.

Mr. Garrett moved a division of the question, so as to take the question on the resolutions and argument separately;

And the question thereon was taken,

And determined in the negative;

There being

AYES— 6.

NOES—14.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford, Garrett, Green, of F., Huntsman, Smith, and Williams.—6.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Cain, Frey, Gammon, Gray, Greene, of R., Howard, Lowry, Lytle, M^r. Means, Reynolds, Rucker, and Walker.—14.

And so the said motion was not agreed to.

The question was then taken on the adoption of said resolutions, and arguments thereto appended;

And was determined in the affirmative;

There being

AYES—18.

NOES— 2.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Cain, Frey, Gammon, Garrett, Gray, Greene, of R. Greene, of F. Howard, Huntsman, Lowry, Lytle, M^r. Means, Reynolds, Rucker, Smith, and Walker.—18.

Those who voted in the negative, are;

Mr. Bradford and Williams—2.

And so the said resolutions and arguments were adopted;

Ordered, That the clerk acquaint the house of

representatives therewith, and ask their concurrence therein.

Mr. Huntsman, (by permission of the senate) offered the following explanation of his vote, on Mr. Brown's resolutions and remarks.

"The reasons why I feel it my duty not to give my assent to the whole of the arguments appended to the resolutions, altho' I feel a cheerfulness in voting for the resolutions themselves, are;

"That there are some assumptions of facts in said argument, which are founded upon newspaper criminations and recriminations, and controversies which originated in great political excitement, and which I do not know to be *true* or *untrue*; therefore, the oath I have taken as a senator in this General Assembly, in my own estimation, requires me to be satisfied of the truth of every proposition before I assent to it. Knowing that Gen. Washington, Mr. Jefferson, Mr. Crawford, chief justice Marshall, and in a more eminent degree, Gen. Andrew Jackson, has all been the subjects of unqualified slander and abuse, I cannot, with any species of information I possess, undertake to give a vote of condemnation upon the highest characters now in the country, because, it is possible, if they are guilty, are so in a much less degree than asserted in the argument. Nor do I believe the cause of Gen. Jackson, requires a vote of censure or condemnation upon others. He stands pre-eminently conspicuous for talents, firmness and a thorough knowledge of the human character, with a patriotism and love of country, seldom equalled, never surpassed; together with a long list of meritorious services, which presents his claims upon much higher grounds than a legislative re-iteration of newspaper charges. His own claims are all powerful and will prevail, without condescending to notice the weakness of his adversaries. His cause requires no such

sacrifice [of] magnanimity and independence; I shall therefore speak evil of none. My own opinion is, that without the adoption of the resolution offered by myself, the balance are too weak and effeminate; they do not carry the sense of the people of this state, in favor of General Jackson to the world in that energetic and masculine tone of character, which the people of this state, really feel for him. And it is not only within the pale of constitutional liberty, to instruct all our political functionaries so far as respects subjects of policy and expediency, but the time has arrived, when the people believe that power should be exerted in favor of Gen. Jackson.

A. HUNTSMAN."

Mr. Garrett, (also by permission of the senate) offered the following explanation of his vote on Mr. Brown's resolutions and remarks.

"That since the resolutions were introduced he has been in favor of their adoption, because he was in favor of the election of Gen Jackson to the presidency; and because he believed such to be the wishes of his constituents. But he could not vote for the adoption of said remarks, because he believes every vote he gives in the senate is under the sanction of an oath, and in voting for the remarks or observations upon said resolutions, he believes it would have been an expression, upon oath, that said remarks were true; he could not vote for the adoption of the reasons, (not because they were not true) but because he did not know them to be so. He begs leave to state, that he is friendly to the election of Gen. Jackson, but he will not consent (by his vote upon oath) to say any thing, which he does not know to be true, and which is intended to charge the highest officers of the United States, with high crimes and misdemeanors.

GRAY GARRETT."

And then the senate adjourned.

MONDAY, OCTOBER 22nd, 1827.

Mr Lowry presented a petition of Lewis Ross, praying to be refunded the entrance money of a fractional quarter section of land, entered by him in the Hiwassee district; and which is included in the reservation of John Walker;

Ordered, That said petition be referred to the committee on claims.

Mr. Williams presented a petition of sundry inhabitants of the town of Knoxville, praying that the female academy in said town be incorporated;

Ordered, That said petition lie upon the table.

Mr. Garrett presented a petition of sundry inhabitants of Claiborne county.

Mr. Greene, (of R.) presented a petition of sundry merchants of Bledsoe county; and,

Mr. Huntsman presented a petition of sundry merchants of Madison county;

Each of which petitions, prays that the tax on merchants be equalized and proportioned to their dealings;

Ordered, That said petitions be referred to the committee of Finance.

Mr. Smith presented a petition of Reuben Ross and Jesse Lincoln, praying the amendment and extension of the charters to several turnpike roads in which they are interested;

Ordered, That said petition be referred to the committee on internal improvements.

Mr. Frey, from the committee on claims, to which had been referred,

A bill for the relief of Peter Brakebill,

Reported the same with an amendment, which was read and adopted.

The said bill as amended, was then read a second time and passed.

Mr. Huntsman, from the committee on banks, reported

A bill prescribing the duties of the president and directors of the bank of the state;

Which bill was read a first time and passed.

Mr. Garrett laid upon the table the following resolution:—

Resolved, That the public printer be furnished with a copy of such public laws, as may be passed during the present session of the General Assembly, as early as practicable after their passage, that the same may be published with despatch;

According to a rule of the senate, said resolution lies one day upon the table.

Mr. Huntsman introduced

A bill for the relief of Wm. Weaver and others;

Which was read a first time;

On motion of Mr. M'Means,

Ordered, That said bill lie upon the table.

Mr. Huntsman introduced

A bill to amend an act passed at Murfreesboro⁹ Nov. 4, 1825, entitled "an act more effectually to define the jurisdiction of courts of equity;"

A bill for the relief of Daniel Davis;

A bill to authorise a lottery for the benefit of Covington academy, in the county of Tipton;

A bill concerning towns; and;

A bill for the benefit of religious persons,

Which bills were severally read a first time and passed.

Received from the house of representatives,

A bill for the relief of Micajah Armstrong and Samuel Turney;

A bill for the relief of Wm. M'Coun;

A bill to authorise the Washington guards to constitute themselves into a company of cavalry;

A bill to establish a turnpike road in the western district;

A bill to promote the common school fund;

A bill to provide for the payment of jurors in the county of Warren;

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A bill to amend the 3rd section of an act, to amend the law respecting suits to be brought against endorsers of promissory notes, &c. and for other purposes;

A bill to protect domestic industry;

A bill for the relief of the heirs of W. C. Ward, deceased;

A bill to define the duty of sheriffs and constables in certain cases;

A bill for the relief of the sheriffs of Hickman and Hardin counties;

A bill to establish and lay off separate elections in the counties of Cocke and Rutherford;

A bill for the relief of Zachariah Sullens and Wm. Hitchcock;

A bill to fix the fees of any officer for removing from one county to another;

A bill concerning constables;

A bill to amend an act, for the relief of Jesse Mayfield of M'Minn county;

A bill to extend the acts of 1788 and 1809, for the benefit of Iron works, to that part of the state lying south and west of the congressional line;

A bill to extend the occupant law, south and west of the congressional reservation line;

A bill to revive and continue in force a law passed 1825, to appropriate a part of the state tax to county purposes;

A bill to repeal so much of the revenue law of this state, as directs the payment of a poll tax;

A bill to authorise the county court of Davidson county to enlarge certain public roads;

A bill to incorporate the inhabitants of the town of Dresden, in the county of Weakly;

A bill to continue certain causes;

A bill to alter the name of Sterling Baker to that of Thomas Crutcher Baker;

A bill for the relief of Wm. White;

A bill to amend an act, passed Nov. 17th, 1823,

entitled "an act compelling constables to do their duty;"

A bill for the relief of such persons as may wish to have their names altered;

A bill for the relief of Archibald M'Kissick;

A bill to divorce Nathaniel Maddox from his wife Anna Maddox;

A bill to divorce Jeremiah Lillard from his wife Sarah;

A bill to extend the terms of the circuit court of Davidson county;

A bill to amend an act, entitled "an act to authorise Wm. Matlock to open a turnpike road;

A bill to alter the name and make legitimate the persons therein mentioned;

A bill to repeal part of the 3rd section of an act for the benefit of Frederick A. Ross;

A bill providing for the division of the state into two chancery districts, and the appointment of two chancellors;

A bill to restore Nathan Fannon to his rights and privileges as a citizen of this state;

A bill defining the manner in which appropriations shall hereafter be made by the county courts;

A bill to amend an act, entitled "an act empowering securities to recover damages in a summary way;

A bill to authorise suits to be brought before a justice of the peace, against one of several executors or administrators in certain cases;

A bill to authorise John Peyton to open a turnpike road;

A bill to legalize the official acts of Anthony W. P. Urssery, a justice of the peace for Hardin county;

A bill to authorise the judge holding the Rutherford circuit court, to entertain jurisdiction of the petition of Sena Grubbs for a divorce from her husband;

A bill for the appointment of trustees for Houston academy in the county of Anderson;

A bill for the benefit of George Reeves;

A bill to incorporate the town of Waynesborough in the county of Wayne;

A bill for the relief of Jacob C. Staughton and others;

A bill for the relief of the commissioners of the county of Monroe;

A bill to revive, continue and amend an act entitled "an act to authorise the court of pleas and quarter sessions of Anderson county, to build a house for the accommodation of the poor," and for other purposes;

A bill for the distribution of insolvents' estates;

A bill to authorise the county court of Carroll county to establish certain toll bridges and causeways; and,

A bill for the relief of Benj. Bond;

Which bills were severally read a first time and passed.

A bill the better to secure the collection of the revenue, and to prescribe the duty of clerks and solicitors in certain cases; and,

A bill for the benefit of John Tucker of M'Minn county;

Were each read a second time and passed.

A bill to alter the names of the persons therein named;

A bill authorising the persons therein named to build a fish trap across the northern sluice of Cumberland river, commonly called the mill sluice;

A bill to authorise the register of East Tennessee to issue copies of Treasurers certificates for land sold at the Hiwassee land sales;

A bill respecting pilot knob turnpike road;

A bill for the relief of the heirs of Lewis Dillahanty;

A bill to extend the corporation of the town of Fayetteville in Lincoln county;

A bill restoring Isaac Martin to the privileges of citizenship;

A bill to establish a female academy in Knoxville in the county of Knox; and,

A bill for the relief of the widow and heirs of James Sisk, deceased, and widow and heirs of Young Colville, deceased;

Were severally read a third and last time, passed and ordered to be enrolled.

Mr. M'Means, who had withdrawn for amendment,

A bill to amend an act establishing a sitting of a supreme court at Reynoldsburg, returned the same.

Mr. M'Means then moved to amend the same by striking out of the first section the words "Huntingdon, in the county of Carroll," as the place where said court should in future be held; also, by striking out the second section which directed that all appeals, &c from the counties of Robertson, Montgomery, Stewart and Dickson should be taken to the supreme court at Nashville;

And the question being taken thereon,

It passed in the affirmative;

The said bill as amended, was then read a first time and passed.

And then the senate adjourned.

TUESDAY, OCTOBER 23rd, 1827.

Mr. Lowry presented a letter from John Wilkerson, Esq. attorney general asking the passage of a law authorising him to draw his salary without making the affidavit required by the act of 1825;

Ordered, That said letter lie upon the table,

P2 SENATE.

A resolution laid upon the table on yesterday by Mr. Garrett, requiring the printers to be furnished with copies of the public acts, as soon as practicable, &c. was

Ordered, To lie upon the table.

A resolution received from the house of representatives on Thursday last, and which had been laid upon the table, proposing to elect a Treasurer for West Tennessee, surveyor for Sullivan county and an entry taker for Morgan county, at 11 o'clock A. M. to day;

Was taken up, read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

Mr. Greene, (of R.,) from the committee on Indian reservations, to which had been referred

A bill for the relief of certain purchasers of lands in the Hiwassee district;

Reported the same with an amendment in lieu of the whole bill, which was read and adopted and the caption amended to read

A bill for the relief of Allen D. Gentry;

Ordered, That said bill lie upon the table.

Received from the house of representatives,

A bill to establish a precinct election in the county of Carter;

Which was read a first time.

Mr. Smith offered an amendment to said bill establishing precinct elections in the county of White, which was read and adopted;

The said bill then passed a first time.

On motion of Mr. M'Means,

A bill to provide for occupants south and west of the congressional reservation line, which had been laid upon the table, was taken up, read a second time and passed.

The speaker and gentlemen of the senate, repaired to the hall of the house of representatives for the purpose of going into the several elections

set for this day, and were invited to seats within the bar of the house.

The two houses first proceeded, by joint ballot to the election of a Treasurer for West Tennessee, and upon collecting and counting out the ballot, the speakers declared that Thomas Crutcher, Esq. was duly elected Treasurer of West Tennessee for two years next ensuing.

The two houses next proceeded to the election of a surveyor for Sullivan county, and an entry taker for Morgan county, and upon collecting and counting out the ballots, the speakers declared that James D. Rhea, was duly elected surveyor for Sullivan county and Jesse Truett entry taker for Morgan county;

Whereupon, the speaker and gentlemen of the senate returned to their own chamber and the speaker resumed the chair.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The speaker of the house of representatives has signed enrolled bills, entitled.

An act to compel clerks of the county courts to reside within the county where they hold clerkships; and,

An act to extend the terms of the circuit court of Roane county;

And I am directed to deliver the same to the senate, to receive the signature of their speaker.

They concur in your resolution to remove to the supreme court of the United States, some one or two of the reserved causes in the Hiwassee district for decision, upon the terms and conditions prescribed in said resolution.

They have passed a resolution that the President and Directors of the Bank of the State of Tennessee, be required forthwith, to confer with the President and Directors of the Nashville bank,

and make such contract with said Nashville Bank directory as will secure to the State the ultimate payment in good funds, of all the Nashville Bank notes, which now, or shall hereafter belong to the State; to secure the interest on the amount of such notes to be semi annually paid, and in advance, and to report such contracts, as they shall make, as soon as completed, to the legislature, and no contract so entered into, shall be binding upon either of the contracting parties until ratified by the General Assembly.

RESOLVED, by the *General Assembly of the State of Tennessee*, That the following persons be, and they are hereby appointed justices of the peace in and for the following counties, to wit:—

For Carroll county, John D. Dudley, Isaac M'Kee, John Cooper, James Hopkins, Andrew Johnson, and William Hansbrough;

For Carter county, Wm. Gott, John Keys, Green Moore, Hampton Hyder, George Greenway, and Robert Reeves;

For Greene county, David Kennedy, Peter Mesamore, and William Crawford;

For Knox county, James Willite, and William M'Call;

For Sumner county, Jno. P. Hogan, and Wm. Montgomery;

For Smith county, Isaac Moore, James Congo, and James Wilcher;

In which they ask your concurrence,

And then he withdrew.

The speaker signed the enrolled bills received from the house of representatives;

Ordered, That the clerk deposit them in the office of the Secretary of State.

A bill for the relief of Magdalene Snapp; and

A bill for the relief of Allen D. Gentry,

Were each read a second time, and passed;

A bill for the benefit of William G. Lyle, of Monroe county; and,

A bill to establish a treasury department in the western district,

Were each read a third time, and passed.

Mr. Rucker laid upon the table the following resolution.

Resolved, That the committee of finance inquire into the expediency of reducing the taxes on law suits, and report by bill or otherwise.

Mr. Gray laid upon the table the following resolution.

RESOLVED, by the General Assembly of the State of Tennessee, That Jesse M. Paschal, Thomas M. Farley, John A. Nettles, and Isaac F. Outhouse be, and they are hereby appointed justices of the peace for the county of Weakley; and,

Mr. Bradford laid upon the table the following resolution.

RESOLVED, by the General Assembly of the State of Tennessee, That Jeremiah Cunningham, Joseph Hastings, Gordon Shanklin, Wm. S. Mayfield, Jason B. Shuffield, Thomas Coffee, James Ray, Wm. Canine, Wm. J. Whithorn, John Oneal, Arvil as Torrentine, Robert Cooper, John Stephens, Reuben Thompson, John Miller, Israel Fonveille, and Amos M. Adams, be, and they are hereby appointed justices of the peace for the county of Bedford.

According to a rule of the senate, said resolutions lie one day upon the table.

Mr. Lowry withdrew, for amendment,

A bill for the relief of Robert Gamble.

And then the senate adjourned.

WEDNESDAY, OCTOBER 24th, 1827.

Mr. Howard, from the committee of finance, to which was referred a resolution directing said committee to enquire into the expediency of appropriating a part of the interest accruing from the funds of the new State Bank towards defraying the expense of the state government, made the following report:—

“That the committee have had the said resolution under consideration, and in their opinion it is inexpedient to make the capital of the new State Bank the source from which to derive the means for the support of the government.

T. A. HOWARD,

Chairman Committee of Finance.”

Ordered, That said report lie upon the table.

A resolution laid upon the table on yesterday by Mr. Rucker, instructing the committee of finance to enquire into the expediency of reducing the taxes on law suits, was taken up, read, and adopted.

A resolution laid upon the table on yesterday by Mr. Gray, appointing justices of the peace for the county of Weakly, was taken up, read, and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A resolution laid upon the table on yesterday by Mr. Bradford, appointing justices of the peace for the county of Bedford, was taken up, read, and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A resolution received from the house of representatives on yesterday, directing the President and Directors of the Bank of the State, to confer with.

the President and Directors of the Nashville Bank, and make such contract with them as will best secure the ultimate redemption of the notes of the Nashville Bank, &c.

Was read, considered, and concurred in.

A resolution received from the house of representatives on yesterday, appointing justices of the peace for the counties of Carroll, Carter, Greene, Knox, Sumner, and Smith,

Was read, considered, and so much thereof as appoints justices of the peace for the counties of Carroll, Carter, Greene, Knox, and Sumner, was concurred in, and so much thereof as appoints justices of the peace for Smith county was

Ordered, to lie upon the table.

On motion of Mr. Howard,

The senate took up, and proceeded to the consideration of the report and settlement of the committee on finance with the Treasurer of West Tennessee.

Mr. M'Means moved to non-concur in so much of said report as allowed commissions to the Treasurer on that portion of the state revenue directed by law to be paid by the several sheriffs to the trustees of their respective counties, for county purposes;

And the question thereon was taken,

And determined in the negative,

There being

AYES— 8.

NOES—12.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford, Gammon, Gray, Greene, of R., M'Means, Reynolds, Rucker, and Walker.— 8.

Those who voted in the negative, are,

Mr. Speaker Hall, Brown, Cain, Frey, Garrett, Green, of F., Howard, Huntsman, Lowry, Lytle, Smith, and Williams.—12.

And so said motion was not agreed to.

The question then recurred and was taken on concerning in said report,

And passed in the affirmative;

Ordered, That the clerk transmit said report to the house of representatives, and acquaint them therewith.

The senate took up, on its third reading,

A bill to make more liberal provisions for widows.

Mr. Green, of F., offered the following section as an amendment to said bill;

Be it enacted, That hereafter when any person may die intestate, leaving a widow and children to inherit his estate, the widow of such intestate shall be entitled to one third of the personal estate of her deceased husband, any law to the contrary notwithstanding: *Provided*, That nothing herein contained shall be construed to extend to slaves;

And the question thereon was taken,

And determined in the negative;

There being

AYES—2.

NOES—17.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Green, of F., and Lytle.—2.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Cain, Frey, Gammon, Garrett, Gray, Greene, of R., Howard, Huntsman, M'Means, Reynolds, Rucker, Smith, Walker, and Williams.—17.

And so the said section was not adopted;

The said bill was then read a third time, and passed.

A bill to authorise a lottery for the benefit of Covington academy, in the county of Tipton,

Was read a second time,

And the question was taken;

“Shall the said bill pass?”

And determined in the affirmative;
There being

AYES—16
NOES— 4.

The ayes and noes being required;
Those who voted in the affirmative, are;
Mr. Speaker Hall, Bradford, Cain, Frey, Gammon, Garrett, Gray, Greene, of R., Huntsman, Lowry, Lytle, M'Means, Reynolds, Rucker, Walker, and Williams.—16.

Those who voted in the negative, are;
Mr. Brown, Green, of F., Howard, and Smith,
—4.

And so the said bill passed.

A bill to allow twelve and one half per cent. on the affirmance of judgments removed by certiorari, Was read a third time,
And the question was taken,
Shall the said bill pass?
And determined in the affirmative;
There being

AYES—11.
NOES— 9.

The ayes and noes being required;
Those who voted in the affirmative, are;
Mr. Speaker Hall, Brown, Frey, Gammon, Greene, of R., Howard, Lytle, Rucker, Smith, Walker, and Williams.—11.

Those who voted in the negative, are;
Mr. Bradford, Cain, Garrett, Gray, Greene, of F., Huntsman, Lowry, M'Means, and Reynolds.—9.

And so the said bill passed.

Mr. Rucker laid upon the table the following resolution—

Resolved, That the following rule of decorum be adopted as an additional rule for the government of the senate:—

"When any member of the senate, in debate, designates another member, he shall describe him as

Q. SENATE

the member from the county or counties which he represents, always omitting the adjective appellation of *honorable*."

Mr. Huntsman laid upon the table the following resolution:—

Resolved, That Daniel Graham, commissioner of West Tennessee, proceed to adjudicate grant No. 22, 00 to John Rhea for six hundred and forty acres of land, and issue a certificate warrant for so much thereof as is taken away by the older grant of ——— Stokes: *Provided*, That said grant of six hundred and forty acres is founded upon a good and valid warrant, and that it has not been previously satisfied.

According to a rule of the senate, said resolutions lie one day upon the table.

Mr. Lowry introduced

A bill for the relief of John Wilkerson; and,

Mr. Rucker introduced

A bill to amend the law of 1826, authorising the establishment of a volunteer regiment in the 9th brigade of Tennessee militia,

Which bills were each read a first time, and passed.

Mr. Rucker introduced

A bill for the benefit of Samuel Vest;

Ordered, That said bill be referred to the committee of propositions and grievances.

Received from the house of representatives

A bill to retrench the civil list;

A bill for the relief of Eve Sherrill, wife of Saml. Sherrill, of Wilson county;

A bill to amend the patrol laws;

A bill to establish a town in the county of Marion;

A bill to amend the militia laws;

A bill for the benefit of Andrew Salts;

A bill for the benefit of George Brown;

A bill to authorise the ranger of Warren county to keep his office at his own house;

A bill to provide for the payment of cost by the State in criminal cases;

A bill to alter the county line between the counties of Giles and Maury;

A bill for the relief of Gabriel Faulks, sheriff of Hickman county;

A bill to repeal part of an act, entitled an act to repeal an act, entitled an act to place upon the same footing deeds of trust and mortgages in future, passed Nov. 12, 1825;

A bill supplemental to an act, entitled an act to regulate the county courts of Rutherford and other counties, passed at Murfreesborough, Nov. 11, 1823;

A bill for the relief of James Stewart's heirs, and others;

A bill to provide for the payment of the witnesses on the trial of Brigadier General W. Stone; and,

A bill to restore James I. Maxwell to all the rights of citizenship,

Which bills were severally read a first time, and passed.

A bill to amend an act, entitled an act concerning the trustees of Overton county, passed Dec. 5, 1825;

A bill concerning towns; and,

A bill to secure the maintainance of illegitimate children,

Were severally read a second time, and passed.

A bill for the relief of Jacob Howard;

A bill for the relief of Sampson Black;

A bill for the relief of Thos. J. Smith;

A bill to remove the place of comparing the polls for the elections in the counties of Overton, Jackson, White, and Fentress; and,

A bill to amend an act, passed 9th Dec. 1826, entitled an act to extend the limits and incorporate the town of Covington,

Were severally read a third time, and passed.

Mr. Gammon introduced

A bill to alter the time of holding battalion musters in the 78th regiment of Tennessee militia, in Hawkins county; and,

Mr. M'Means introduced

A bill to regulate the county courts therein named,

Which bills were each read a first time, and passed.

Mr. Lowry, who had withdrawn, for amendment,

A bill for the relief of Robert Gamble, returned the same with a proposed amendment in lieu of the whole bill;

Ordered, That said bill and amendment lie upon the table.

And then the senate adjourned.



THURSDAY, OCTOBER 25th, 1827.

Mr. Howard presented

A petition of William Ellis and John Ellis, of Sevier county, praying the passage of a law authorising them to keep up or extend the dam of their saw mill on the south sluice of French Broad river, and protesting against the passage of any law, special or general, that would injure their mill.

Mr. Howard also presented a letter from John Brabson, protesting against the passage of any law granting said Ellises any privileges to erect a mill on said sluice.

Mr. Green, of F. presented a petition of Jesse Savage and others, praying that so much of the act of assembly granting a charter to said Savage and Benj. Cannon to open a turnpike road from Hill's old stand across the mountain as requires the mon-

tain sides to be levelled to seven and a half degrees be repealed.

Mr. Green, of F. also presented a petition of Gideon Bouldin and others, praying that said Savage be compelled to run his road by his house.

Mr. M'Means presented a petition of James Causer, praying to be allowed to retail spirituous liquors without paying a license therefor.

Mr. Gray presented a petition of Tavner Wisdom, praying the passage of a law to authorise his occupant claim to be so run as to include his improvements;

Ordered, That said petitions be referred to the committee of propositions and grievances.

Mr. Smith presented a petition of Charles Isham, praying the passage of a law granting to him a certificate land warrant for fifty acres;

Ordered, That said petition be referred to the committee on land claims.

Mr. Huntsman presented a petition of sundry inhabitants of the town of Memphis, praying that the legislature memorialise the congress of the United States to have a line of stages, (for the transportation of the mail,) from Nashville to Memphis;

Ordered, That said petition be laid upon the table.

Mr. Green, of F. from the committee on internal improvements, to which had been referred a petition of John D. Delacy, praying the exclusive privilege of navigating the Tennessee river above the Muscle Shoals with steam boats for twenty years upon certain conditions, reported that the committee had considered said petition, and believe the prayer therein contained to be unreasonable, and ought not to be granted.

The said report was read, and concurred in.

Mr. Greene, of R. from the committee on Indian

reservations, reported a bill for the relief of Thomas White and others,

Which bill was read a first time, and passed.

Mr. Garrett, from the committee on divorces, to which had been referred a petition of Benjamin Hackney, praying to be divorced from his wife Sarah; a petition of Wm Philips, praying to be divorced from his wife Elizabeth; and a petition of Elizabeth M'Cabe, praying to be divorced from her husband Starke M'Cabe, reported that the committee had considered said petitions, and believe the prayers therein contained are unreasonable, and ought not to be granted.

The said report was read, and concurred in.

Mr. Garret, from the same committee, reported a bill to divorce Frederick Smith from his wife Nancy,

Which was read a first time, and passed.

Mr. Brown, from the committee on enrolled bills, reported that the committee had examined, and found to be truly enrolled

An act restoring Isaac Martin to the privileges of citizenship;

An act authorising the persons therein named to build a fish trap across the north sluice of Cumberland river, commonly called mill sluice;

An act to alter the name of the persons therein named;

An act authorising the register of East Tennessee to issue copies of treasurer's certificates for lands sold at the Hiwassee land sales;

An act to establish a female academy in the town of Knoxville, in the county of Knox;

An act for the relief of the heirs of Lewis Dillahunty;

An act for the relief of the widow and heirs of James Sick, deceased, and the widow and heirs of Young Colville, deceased;

An act to extend the corporation of the town of Fayetteville, in the county of Lincoln; and,

An act respecting the Pilot Knob turnpike road,
The speaker signed said enrolled bills;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

A resolution laid upon the table on yesterday by Mr. Huntsman, directing Dan. Graham as commissioner to adjudicate grant No. 22,300, &c.

Was taken up, read and referred to the committee on land claims;

A resolution laid upon the table on yesterday by Mr. Rucker, proposing an additional rule of decorum for the government of the senate,

Was taken up and read.

Mr. Green, (of F.) moved to amend said rule by striking out the words "describe him as the member or gentleman from the county or counties which he represents;"

And the question thereon was taken,

And it passed in the affirmative;

The question then recurred, and was taken upon the adoption of said rule as amended,

And determined in the affirmative;

There being

AYES—14.

NOES—5.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Cain, Frey, Gammon, Greene, (of R.) Green, (of F.) Howard, Huntsman, Lowry, Lytle, M'Means, Rucker, Smith and Walker—14.

Those who voted in the negative, are;

Mr. Bradford. Garrett, Gray, Reynolds and Williams—5.

And so the said resolution was adopted.

On motion of Mr. Lowry,

The senate took up,

A bill for the relief of Robert Gamble, together with the amendment offered by him in lieu of the whole bill, both of which had been laid upon the table,

The question was taken on the adoption of the amendment,

And determined in the negative;

Ordered, That said bill lie upon the table for further consideration.

Mr. Huntsman laid upon the table the following resolution:—

RESOLVED, by the *General Assembly of the state of Tennessee*, That our senators in congress be instructed and our representatives be requested, to use their exertions, with the post office department, to get a line of mail stages to run from Nashville to Memphis in this state to meet the steam boat navigation at that point; and,

Mr. Cain laid upon the table the following resolution:—

RESOLVED, by the *General Assembly of the state of Tennessee*, That Isaac Pucket, be, and he is hereby appointed a justice of the peace for the county of Wilson;

According to a rule of the senate, said resolutions lie one day upon the table.

A message from the house of representatives, by Mr. Campbell, their clerk,

MR. SPEAKER;

The house of representatives concur in your resolutions appointing justices of the peace for the counties of Bedford and Weakly, also, in your resolution appointing justices of the peace for Henry county, except as to the appointment of Francis M'Connel, and propose appointing Thomas Gordon in his stead—In which they ask your concurrence;

And then he withdrew.

Mr. M'Means introduced

A bill to divide the sixty eighth regiment of Tennessee militia.

Mr. Huntsman introduced

A bill for the relief of locaters and others who may own equitable interest in lands in this state;

Which bills were severally read a first time and passed.

The senate again took up, and proceeded to the consideration of

A bill to repeal all laws authorising the sale of school lands;"

And after some time spent therein,

The senate adjourned.

FRIDAY, OCTOBER 26th, 1827.

Mr. Smith presented a petition of David Bullock, of White county, praying to be divorced from his wife Lydia;

Ordered, That said petition be referred to the committee on divorces.

A resolution laid upon the table on yesterday by Mr. Huntsman, instructing our senators and requesting our representatives to use their exertions to procure a line of mail stages established between Nashville and Memphis;

Was taken up, read and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A resolution laid upon the table on yesterday by Mr. Cain, appointing Isham Puckett a justice of the peace for Wilson county;

Was taken up, read and adopted.

A message from the house of representatives, on yesterday, non-concurring in the appointment of Francis M'Connel, a justice of the peace for the

county of Henry, and proposing the appointment of Thomas Gordon in his stead;

Was taken up, read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

Mr. Smith laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the state of Tennessee, That grants No. 617 and 2,394, also, entry No. 2,606 for 140 acres and an entry in the name of Thomas Hill for 20 acres in the third surveyor's office, be referred to the commissioner for adjudication, and that certificates issue thereon for so much of either of them as may be north of the Kentucky line or may be taken by older or better title, as heretofore allowed by law in such cases;

According to a rule of the senate, said resolutions lie one day upon the table.

Mr. Howard introduced

A bill to authorise James W. Wiley to sell certain real estate; and;

A bill to regulate certain proceeding on executions and for other purposes.

Mr. Reynolds introduced

A bill for the benefit of Lewis Harris; and,

Mr. M'Means introduced

A bill to defray the expenses of the first session of the 17th General Assembly;

Which bills were severally read a first time and passed.

A message from the house of representatives, by Mr. Campbell, their clerk,

Mr. SPEAKER;

The house of representatives have passed a resolution appointing John Fraim, Elijah D. Robbins, James Kelly, Isham Warnack and Wm. A. Murray, justices of the peace for the

county of Franklin—In which they ask your concurrence;

And then he withdrew;

According to a rule of the senate, the said resolution lies one day upon the table.

The senate again took up and proceeded to the consideration of

A bill to repeal all laws authorising the sale of school lands in this state;

And after some time spent therein,

Mr. Howard moved to lay said bill upon the table 'till the first day of January next;

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—13.

NOES— 7.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Cain, Frey, Gammon, Garrett, Gray, Howard, Huntsman, M'Means, Reynolds, Rucker, Smith and Walker—13.

Those who voted in the negative, are;

Mr. Bradford, Brown, Greene, of R., Green, of F., Lowry, Lytle and Williams—7.

And so the said bill was ordered to lie upon the table 'till the first day of January next.

On motion of Mr. Green, of F.

A bill more effectually to provide for the prosecution of offenders, which had been laid upon the table;

Was taken up, read a second time and passed.

A bill for the relief of Elizabeth Wheelles;

A bill for the relief of John Luttrell,

A bill to authorise the county court of Haywood to lay a tax for certain purposes;

A bill for the relief of certain securities;

A bill prescribing the duty of sheriffs in certain cases; and,

A bill for the relief of appearance bail;
Were severally read a second time and passed.

A bill for the relief of Wm. Reynolds;
Was read a third time and passed.

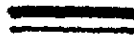
Mr. Huntsman withdrew for amendment,

A bill more effectually to provide for reporting
of the decisions of the supreme court.

Mr. Garrett withdrew for amendment,

A bill to amend an act, empowering the county
courts to emancipate slaves, passed Nov. 13th,
1801.

And then the senate adjourned.



SATURDAY, OCTOBER 27th, 1827.

Mr. Garrett presented a petition of John S. Hardy, of Claiborne county, praying that the longer term of two years be allowed him to complete his Iron works.

Mr. Reynolds presented a petition of George Aliphant, of Maury county, praying to be allowed to retail spirits at his distillery without paying a license therefor;

Ordered, That said petitions be referred to the committee of propositions and grievances.

A resolution laid upon the table on yesterday by Mr. Smith, referring certain grants and entries to the commissioner for adjudication, was read and referred to the committee on land claims.

A resolution, received from the house of representatives on yesterday, appointing justices of the peace for Franklin county,

Was taken up, read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

On motion of Mr. Gammon,

An insisting message, from the house of repre-

sentatives on the 9th inst. to appoint Wm. Haggood, a justice of the peace for Hawkins county;

Was taken up, read and concurred in.

Mr. Lowry, from the committee of propositions and grievances, reported

A bill for the benefit of John Dale, and John Hammuck;

Which was read a first time and passed.

Mr. Frey introduced

A bill for the relief of Richard R. P. Powell;

Ordered, That said bill be referred to the committee on claims.

Mr. Reynolds introduced

A bill for the relief of Samuel J. Wilkins;

Mr. Huntsman introduced

A bill to extend the benefits of an act, entitled "an act respecting the improvements of lands," passed 15th Oct. 1813, to the people of the Hiwassee district.

Mr. Brown introduced

A bill authorising the circuit court of Giles county to direct the sale of some of the real estate of Charles Perkins, deceased, and also, some of the real estate of Tyree Rhodes, deceased; and,

A bill for the relief of the heirs of Joseph Campbell, deceased, and also for the relief of the heirs of John Harrison, of Lincoln county; and,

Mr. Frey introduced

A bill requiring the collector of the revenue of Robertson to pay over certain monies;

Which bills were severally read a first time and passed.

Mr. Lowry laid upon the table the following preamble and resolution:—

Whereas, It has been represented to this General Assembly, that the boundary line between the United States and the Cherokee tribe of Indians, as called for by the late treaties, has not

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been so marked as to render the same notorious—THEREFORE,

Resolved, by the General Assembly of the State of Tennessee, That a joint select committee be appointed to enquire into the expediency of providing by law, that the same may be correctly marked, with leave to report by bill or otherwise.

Mr. Reynolds laid upon the table the following resolution.

Resolved, That the judiciary committee be instructed to enquire into the expediency of so amending the execution law, that persons who do not avail themselves of the stay on executions, may have their property sold on a credit equal to the stay now allowed by law, with leave to report by bill or otherwise.

Mr. Williams laid upon the table the following resolution.

Resolved, That the judiciary committee be instructed to enquire into the expediency of giving to the supreme court jurisdiction of the question, whether the legislature has power to sell the lands given by congress to common schools within the limits of this state, with leave to report by bill or otherwise; and,

Mr. Huntsman laid upon the table the following resolution:—

Resolved, That the senate meet the house of representatives, in their hall on Monday next at 12 o'clock, for the purpose of electing a Treasurer of the western district.

According to a rule of the senate, said resolution lie one day upon the table.

A bill for the relief of Thomas Peyton;

A bill for the benefit of Bradley and Carroll;

A bill to provide for the security of creditors in certain cases;

A bill to prevent judgments from having a lien

beyond the limits of the jurisdiction where such judgments were obtained; and,

A bill more effectually to provide for the holding of the circuit courts of this state;

Were severally read a second time, and passed;

A bill to authorise the drawing of a lottery for cutting a canal from Hatchie river to the Mississippi river;

Was read a second time;

And the question was taken,

Shall the said bill pass?

And determined in the affirmative,

There being

AYES—15.

NOES—3.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Cain, Frey, Gammon, Garrett, Gray, Greene, of R., Huntsman, Lowry, Lytle, M'Means, Reynolds, Rucker, and Williams.—15.

Those who voted in the negative, are,

Mr. Brown, Green, of F., and Howard.—3.

And so the said bill passed

Mr. Garrett, who had withdrawn for amendment,

A bill to amend an act, entitled "an act to empower the county courts to emancipate slaves," passed Nov. 1801, returned the same.

The said bill was read a second time,

And the question was taken,

"Shall the said bill pass?"

And determined in the negative;

There being

AYES—5.

NOES—14.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Garrett, Green, of F. Howard, Lowry, and Lytle—5.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Bradford, Cain, Frey, Gammon, Gray, Greene, of R. Huntsman, M^r-Mears, Reynolds, Rucker, Smith and Williams.
—14.

And so the said bill was rejected.

A bill for the relief of Robert P. Harrisson,
Was read a second time and rejected.

On motion of Mr. M^rMeans,
Ordered, That

A bill providing for writs of error in certain cases, be referred to the judiciary committee.

Mr. Huntsman withdrew for amendment,

A bill for the benefit of poor defendants.

And then the senate adjourned.



MONDAY, OCTOBER 29th, 1827.

Mr. Howard presented a petition of sundry merchants of Cocke county, praying the tax on merchants, be equalized, agreeably to their dealings;

Ordered, That said petition be referred to the committee of Finance.

Mr. Greene, of R. presented a transcript of the record in the suit Lewis Ross' lessee, against Benjamin Bond;

Ordered, That said transcript be referred to the committee on Indian reservations.

Mr. Howard presented an affidavit of Hugh Carter, accompanied by documents, shewing that he is entitled to 20 acres of a certain certificate.

Mr. Brown presented a letter of James Bright, shewing an interference of 200 acres, asking the issuance of a certificate to the heirs of John Morgan for said 200 acres, taken by an interference.

Mr. M^rMeans presented a plat and certificate of survey, shewing an interference of thirteen and 1-4 acres of land, with the register's certificate upon which said entry is founded; and,

Mr. Huntsman presented a letter from Samuel P. Ashe, asking the issuance of certificates to the heirs of Benj. Williams, deceased, for two grants issued by the State of North Carolina to S. Donaldson for 5000 acres each, provided they are taken by better title;

Ordered, That said letters and documents be referred to the committee on land claims.

Mr. Lowry, from the committee of propositions and grievances, reported

A bill for the relief of Comfort Robertson,
Which was read a first time and passed.

Mr. Williams, from the judiciary committee, to which had been referred

A bill more effectually to prevent champerty and maintainance in certain cases,

Reported the same with an amendment in lieu of the whole bill,

Which was read and adopted.

The said bill as amended, was then read a second time and passed.

A preamble and resolution, laid upon the table on Saturday by Mr. Lowry, to appoint a joint select committee, to enquire into the expediency of having marked the boundary line between the United States and the Cherokee tribe of Indians;

Was read and adopted.

Mr Lowry and Mr. Williams, were appointed to be of said committee;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A resolution laid upon the table on Saturday by Mr. Reynolds, instructing the judiciary committee to enquire into the propriety of amending the

execution law, on the stay of executions, was read and adopted.

A resolution laid upon the table on Saturday by Mr. Williams, instructing the judiciary committee to enquire into the propriety of giving to the supreme court jurisdiction of the question, whether the Legislature has power to sell the school lands, and was read and adopted.

A resolution, laid upon the table on Saturday by Mr. Huntsman, proposing to elect a Treasurer for the western district to day at 12 o'clock, was read, and,

On motion of Mr. Reynolds, amended by striking out "Monday" and inserting Thursday.

The said resolution, was then adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Bradford laid upon the table the following resolution:—

RESOLVED, by the *General Assembly of the State of Tennessee*, That Asa Stone, Wm. S. Norton, Abel Slator, Sam. Clay, John Bradford, junr. Matthew Moss, Hamilton Coffee, George W. Esselman and John Dean, be, and they are hereby appointed justices of the peace for the county of Bedford.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended,

The said resolution was then read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Bradford laid upon the table the following resolutions:—

Resolved, That certificate warrant No. 2,795 issued by Archibald Roane for 100 acres to the heirs of Thomas Rogers, be referred to the commissioner of land claims for adjudication;

Ordered, That said resolution be referred to the committee on land claims.

Mr. Howard laid upon the table the following resolution:—

Resolved, That so much of the governor's message as relates to the people south of French Broad and Holston, be referred to a joint select committee, with leave to report by bill or otherwise.

The rule of the senate, requiring resolutions to lie one day upon the table, being suspended, the said resolution was read, and adopted.

Mr. Howard, Mr. Huntsman, Mr. Smith, Mr. Gammon, and Mr. Bradford, were appointed said committee on the part of the senate.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

I am directed to deliver to the senate a communication from his excellency the governor, accompanied by a letter from Gen. John Cocke, and a copy of the constitution or form of government adopted by the Cherokee tribe of Indians.

And then he withdrew.

The said communication was then read at the clerk's table as follows, to wit:—

** Gentleman of the Senate, and of the
House of Representatives:—*

“At the last session of congress an appropriation of ten thousand dollars was made for holding a treaty with the Cherokee nation of Indians, with the view of obtaining a relinquishment of a small portion of their lands, and of procuring their assent to the construction of a canal from the Hiwassee and Coosa.

"The commissioners appointed by the general government, for holding the treaty, have entirely failed in the attainment of either of the objects contemplated, but it seems to be the opinion of the commissioners that the failure is not attributable to want of disposition on the part of the nation at large, nor to the want of a just sense of their best interests.

"General John Cocke, one of the commissioners appointed by the President to hold the treaty, has addressed a letter to me, accompanied by a copy of the constitution or form of government lately established by the Cherokees. The letter and copy are herewith transmitted to the General Assembly in compliance with the wish of Gen. Cocke, that his suggestions may receive that consideration to which they are entitled.

SAM. HOUSTON."

"Executive Office, Nashville, 27th Oct. 1827."

On motion of Mr. Howard,

Ordered, That one hundred copies of the said message, and the letter from Gen. Cocke, be printed for the use of the senate.

Mr. Williams laid upon the table the following resolution:—

Resolved, That a joint committee be appointed to enquire into the expediency of petitioning congress, or of adopting proper and necessary measures, in order to remove some of the causes called reservation cases from the courts of this State to the supreme court of the United States.

According to a rule of the senate, said resolution lies one day upon the table.

Mr. Rucker introduced

A bill to regulate the time of holding the courts therein named.

Mr. Huntsman introduced

A bill for the relief of Wm. Lawrence; and

A bill for the relief of Banks M. Burrow, trustee of Carroll county; and,

Mr. Walker introduced

A bill to define the line between the counties of Hickman and Humphries,

Which bills were severally read a first time, and passed.

Mr. Walker introduced

A bill for the relief of the legatees of M'Crory,

Ordered, That said bill be referred to the committee on land claims.

Received from the house of representatives,

A bill to amend the tenth section of an act, entitled "an act for the better observation and keeping the Lord's day commonly called Sunday, and for the more effectual suppression of vice and immorality," passed in the year 1741;

A bill for the relief of persons who had their guns pressed in the late war;

A bill to establish a branch of the Bank of the State in the town of Bolivar, in the county of Har-
deman;

A bill to authorise the county court of Anderson county to lay a tax for the purpose of building a prison and stocks;

A bill to establish a hospital in the county of Shelby;

A bill to add part of Lincoln county to the county of Franklin;

A bill to authorise Thomas Kell to erect a mill dam across the Sequatchie river;

A bill for the relief of Grigsby Coclough;

A bill to regulate the practice of courts of equity in injunction cases;

A bill for the benefit of Wm Price; and,

A bill for the relief of George Gordon,

Which bills were severally read a first time, and passed.

A bill to explain certain parts of the statutes against gaming, and for other purposes;

A bill to divide the 68th regiment of Tennessee militia;

A bill for the relief of such persons as may wish to have their names altered;

A bill for the relief of Daniel Davis;

A bill for the appointment of trustees for Houston academy, in the county of Anderson, and Forest Hill academy, in the county of Overton;

A bill to amend an act, entitled "an act to authorise Wm. Matlock to open a turnpike road," passed 27th Nov. 1825; and,

A bill to improve the navigation of Elk river,

Were severally read a second time, and passed.

A bill for the relief of Magdalene Snapp,

Was read a third time, and passed.

A bill to amend an act passed Nov. 17th, 1823, entitled "an act compelling constables to do their duty;"

A bill to reduce the fees of register and secretary;

A bill to repeal all laws limiting the number of acres of land to be entered north and east of the congressional reservation line,

Were severally read a second time, and rejected.

A bill to secure the maintainance of illegitimate children,

Was read a third and last time, and rejected.

A bill defining the manner in which appropriations shall hereafter be made by the county courts in this State;

A bill prescribing the duties of executors and administrators in certain cases; and,

A bill to alter and regulate the proceedings upon writs of enquiry,

Were severally referred to the judiciary committee.

Mr. Garrett withdrew, for amendment,

A bill to amend an act, entitled "an act to au-

authorise securities to recover damages in a summary way.

Mr. Huntsman withdrew, for amendment,

A bill to repeal all laws authorising a change of venue in criminal cases.

Received from the house of representatives,

A bill to amend the first section of "an act empowering the county courts to emancipate slaves," passed 13th Nov. 1801,

Which was read a first time, and,

On motion of Mr Walker,

Ordered, That said bill be laid upon the table 'til the first day of January next.

Mr. Huntsman introduced

A bill to divorce Abigail Prewet from her husband J. B. Prewet;

Ordered, That said bill be referred to the committee on divorces.

On motion of Mr. Huntsman,

A bill to divorce Mary Martin from her husband Samuel N. Martin;

A bill to divorce Nancy Greenwood from her husband John Greenwood;

A bill to divorce Elizabeth Ramsey from her husband Wm. Ramsey;

A bill to divorce Rachel Mawbry from her husband Adam Mawbry;

A bill to divorce Isabella Jackson from her husband John Jackson;

A bill to divorce Wm. Turner from his wife Rachel Turner; and,

A bill to divorce the persons therein named,

Were severally referred to the committee on divorces.

A message from the house of representatives, by Mr. Campbell, their clerk.

Mr. SPEAKER,

I am directed to deliver to the senate a report of the trustees of East Tennessee college,

made in obedience to a joint resolution of this General Assembly; also, the following enrolled bills, which has been signed by the speaker of the house of representatives.

An act to allow twelve and one half per cent. on the affirmance of judgments removed by certiorari;

An act for the relief of Sampson, a free man of color;

An act to establish a treasury department in the western district;

An act for the relief of Wm. Reynolds;

An act for the relief of Thomas J. Smith;

An act to alter the place of comparing the polls for the elections in the counties of White, Overton, Jackson, and Fentress;

An act for the relief of Jacob Howard;

An act for the relief of William G. Lyle and Edmund Tatum;

An act to amend an act passed Dec. 9, 1826, entitled "an act to extend the limits and incorporate the town of Covington, in the county of Tipton;" and,

An act to make more liberal provisions for widows in certain cases.

And then he withdrew.

The speaker signed said enrolled bills;

Ordered, That the clerk deposit them in the office of the Secretary of State.

On motion of Mr. Lowry,

Ordered, That the report of the trustees of East Tennessee college lie upon the table.

A bill to provide for the election of electors of President and Vice President of the United States.

Was read a second time.

Mr. Brown moved that Bedford county be stricken out of the eighth district, and attached to the ninth district, and that Lawrence and Wayne be added to the eighth district.

Mr. Huntsman moved that Hardin county be

also added to the eighth district, and that Hickman be added to the ninth district, and that Perry be added to the tenth district.

The question on the said motions were severally taken,

And passed in the affirmative.

Mr. Reynolds moved that Columbia be inserted as the place of meeting for comparing the polls in the ninth district.

Mr. Brown moved that Lawrenceburg be inserted as the place of meeting for comparing the polls in the eighth district.

Mr. M'Means moved that Charlotte be inserted as the place of meeting for comparing the polls in the tenth district.

The question on the said several motions were taken,

And passed in the affirmative;

The said bill as amended was then passed a second time.

And then the senate adjourned.

TUESDAY, OCTOBER 30th, 1827.

Mr. Howard presented a petition of the officers of the 3d and 90th regiments, praying amendments to the militia law, in prescribing the uniform to be worn by the several grades of the officers of the militia; and also, the uniform of volunteer companies;

Ordered, That said petition be referred to the military committee.

Mr. Brown presented a plat and certificate of survey, shewing an interference between grants 45,680 and 124; also, a copy of two entries made in the office of James Gaines, entry taker; one in the name of Nathan Lewis, for one hundred and six-

teen acres, the other in the name of Nathan Lewis, for forty acres;

Ordered, That said documents be referred to the committee on land claims.

Mr. Huntsman presented a petition of sundry inhabitants of Fayette county, praying a loan of two thousand dollars, to be applied in the improvement of the navigation of Wolf river, the re-payment of which they propose to secure in such way, and at such times, as the legislature may direct;

Ordered, That said petition be referred to the committee of propositions and grievances.

A resolution, laid upon the table on yesterday by Mr. Williams, proposing the appointment of a joint select committee to adopt the necessary measures to have removed some of the reservation causes to the supreme court of the United States for decision,

Was read, and adopted.

Mr. Williams, Mr. Brown, and Mr M'Means were appointed said committee on the part of the senate.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Huntsman, who had withdrawn, for amendment, a bill more effectually to provide for reporting the decisions of the supreme court, returned the same with an amendment, which directed the publication of such decisions only as the supreme court should deem important;

Which amendment was agreed to by the senate.

Mr. Rucker moved to amend the said bill, by striking cut "one hundred and fifty" as the number of copies to be taken by the State, and insert in lieu thereof sixty-five, one copy of which should be deposited in each county court clerk's office, in this State;

And the question thereon was taken,

And it passed in the affirmative.

The said bill as amended, was then read a second time;

And on the question,

Shall the said bill pass?

It was determined in the negative;

There being

AYES—10.

NOES—10.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Garrett, Green, of F., Howard, Huntsman, Lowry, Rucker, and Williams.—10.

Those who voted in the negative, are;

Mr. Bradford, Cain, Gammon, Gray, Greene, of R., Lytle, M'Means, Reynolds, Smith, and Walker.—10.

And so the said bill was rejected, for according to a rule of the senate, where there is an equal division of the vote the question is lost.

A message from the house of representatives, by Mr. Campbell, their clerk,

MR. SPEAKER;

The speaker of the house of representatives has signed an enrolled bill entitled

An act for the relief of Magdalene Snapp, which I am directed to deliver to the senate to receive the signature of their speaker.

They concur in your resolution to go into the election of a treasurer for the western district on Thursday next, at eleven o'clock; also, in your resolution appointing justices of the peace for Bedford county; also, in your resolution to appoint a joint select committee on so much of the governor's message as relates to the people south of French Broad and Holston, and appointed Messrs. Gillespie, of Blount, Allen, Aiken, Egnew, Kelly, M'Farland, Tipton, and Huling, to be of said com-

mittee; and also, in your resolution to appoint a joint select committee to enquire into the expediency of providing by law for marking the boundary line between the United States and the Cherokee tribe of Indians, and appointed Messrs. Brady, Turney, Hope, and Tipton, to be of said committee.

And then he withdrew.

The speaker signed the enrolled bill received from the house of representatives.

Ordered, That the clerk deposit it in the office of the Secretary of State.

Mr. Howard laid upon the table the following resolution:—

Resolved, That the committee on internal improvements be instructed to report a bill incorporating a separate company to open the communication between the Ocoa and Conasaugá, making it in the alternative, either by a canal or railway, as to the company may seem most advantageous; and providing in said bill the manner in which it shall be determined by the president and directors of such company after they shall be organised.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The said resolution was then read, and adopted.

Mr. Cain laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That William Hallum be, and he is hereby appointed a justice of the peace for Wilson county;

Mr. Gray laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the state of Tennessee, That Benjamin Totten be, and he is hereby appointed a justice of the peace for the county of Obion.

According to a rule of the senate, said resolutions lie one day upon the table.

Mr. Reynolds introduced

A bill for the benefit of Thomas Norton; and;

Mr. Howard introduced

A bill to regulate the continuance of causes.

Which bills were each read a first time, and passed.

On motion of Mr. Lowry,

A bill for the purpose of funding the college and academy monies, and the report of the trustees of East Tennessee college, were referred to the joint select committee appointed on so much of the governor's message as relates to the people south of French Broad and Holston.

On motion of Mr. M'Means,

A resolution reported by the committee of propositions and grievances, on the 15th inst. on a petition of sundry citizens of the counties of Hardin and Perry, praying provision by law for the settling of James Island, in Tennessee river, was taken up, read and concurred in.

Received from the house of representatives,

A bill for the relief of James W. Smith;

A bill for the relief of Martha Callis, wife of Abel Callis, of Wilson county;

A bill to authorise Isaac Miller and Lewis Miller, to build a mill in the county of Anderson, on Clinch river;

A bill to promote the improvement of lots in the town of Pulaski, and for other purposes;

A bill for the relief of James Williams, former sheriff of Wilson county.

A bill to continue in force the second section of an act to encourage the building of mills in the western district, passed Nov. 27, 1826;

A bill for the relief of James Scarborough and others;

A bill for the relief of the minor heirs of Adam Caldwell, deceased;

A bill for the benefit of Joseph Byrd, senr.

A bill to authorise a lottery to build a bridge across Smith's Fork, near Lancaster;

A bill regulating appeals, and appeals in the nature of writs of error, and for other purposes;

A bill for the appointment of trustees for East Tennessee college; and,

A bill regulating appeals,

Which bills were severally read a first time and passed.

A bill to authorise James W. Wyley to sell certain real estate; and,

A bill for the relief of Samuel Douthett,

Were both read a second time, and passed.

Mr Rucker withdrew, for amendment,

A bill respecting a volunteer company of militia, denominated the guards of [the] 53d regiment.

On motion of Mr. Garrett,

Ordered, That Mr. Lowry, and Mr. Williams, be added to the committee appointed on so much of the governor's message as relates to the people south of French Broad and Holston.

On motion of Mr. M'Mears,

Ordered, A bill to revive an act, passed Nov. 29, 1826, directing certificates to issue in lieu of warrant No be referred to the committee on land claims.

Mr. Huntsman returned a bill to repeal all laws heretofore passed authorising a change of venue in criminal cases, with an amendment, as a proviso to the second section, which was read and adopted.

Mr. Rucker offered a section in lieu of the second section, which was read

On motion of Mr. Huntsman,

Ordered, That said bill and amendment lie upon the table.

The senate took up, and proceeded to consider, a bill authorising the circuit court of Giles county to direct the sale of some of the real estate of Charles Perkins, deceased, and some of the real es-

tate of Tyree Rhodes, deceased, and after some time [spent] therein;

On motion of Mr. Howard,

Ordered, That said bill lie upon the table.

And then the senate adjourned.

WEDNESDAY, OCTOBER 31st, 1827.

Mr. Smith presented a petition of sundry citizens of Jackson county, praying the passage of an act declaring Roaring river a navigable stream as far up as Maurice Gores, Esq.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. M'Means presented a petition of sundry merchants of Stewart county, praying the tax on merchants be equalised agreeably to their dealings;

Ordered, That said petition be referred to the committee on finance.

A resolution laid upon the table on yesterday by Mr. Cain, appointing Wm. Hallam a justice of the peace for Wilson county, and a resolution laid upon the table by Mr. Gray, appointing Benjamin Totten, a justice of the peace for the county of Obion,

Were both taken up, read and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

On motion of Mr. Brown,

The senate again proceeded to the consideration of a bill to authorise the circuit court of Giles county, to direct the sale of some of the real estate of Charles Perkins, deceased, and some of the real estate of Tyree Rhodes, deceased, and after some time spent therein,

The question, shall the said bill pass a second time?

Was determined in the negative;

There being

AYES—10.

NOES—10.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Brown, Gammon, Gray, Green, of F. Howard, Lowry, Lytle, M'Means, Smith and Walker.—10.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Cain, Frey, Garrett, Greene, of R. Huntsman, Reynolds, Rucker, and Williams —10.

And so the said bill was rejected, for according to a rule of the senate, where there is an equal division of the vote the question is lost.

On motion of Mr. Walker,

A bill more effectually to provide for reporting the decisions of the supreme court, which was rejected on yesterday, was re-considered and laid upon the table.

Mr. M'Means laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That Larken Baker, Wm. Kembrell, and Daniel Oliver, be, and they are hereby appointed justices of the peace for the county of Perry.

Mr. Garrett laid upon the table the following resolutions:—

1st. RESOLVED, by the General Assembly of the State of Tennessee, That our senators in congress be instructed, and our representatives requested, to use their exertions to procure the passage of a law to refund to the State of Tennessee such sum as she may have paid to her citizens for guns impressed from them during the last war.

2d. Resolved, That a committee be appointed to

ascertain what sum has already been appropriated and paid to citizens of this State, out of the State treasury, for guns impressed during the last war, and that they report to this house.

According to a rule of the senate, said resolutions lie one day upon the table.

Mr. Lowry introduced

A bill to regulate the county courts of Monroe county; and,

Mr. Garrett introduced

A bill to abolish imprisonment for debt,

Which bills were both read a first time, and passed.

Received from the house of representatives,

A bill to authorise the county court of White county to employ a suitable person to transcribe and make a suitable index to the records of said court;

A bill for the relief of persons on entries north and east of the congressional line;

A bill to authorise Charles Crutchfield to sell certain real estate;

A bill to alter the name of Alice Arterberry to that of Alice Hamilton;

A bill for the benefit of the Branch Bank of the State of Tennessee, at Franklin;

A bill to authorise Thomas Shirley to open a turnpike road;

A bill to establish the times and places, when and where execution sales shall take place; and,

A bill for the relief of W. R. Davis,

Which bills were severally read a first time, and passed.

A bill for the benefit of the persons therein named;

A bill to amend the law of 1826, authorizing the establishment of a volunteer regiment in the 9th brigade of the militia of this State; and,

A bill to regulate certain proceedings on executions and for other purposes;

Were severally read a second time and passed.

A bill to authorise James W. Wyley to sell certain real estate;

A bill to authorise lotteries for the benefit of Covington, Woodward and Little Bigby academies;

A bill to authorise the county court of Haywood to lay a tax for certain purposes;

A bill for the relief of certain securities; and,

A bill for the benefit of John Tucker, of M'Minn county,

Were severally read a third time and passed.

A bill for the benefit of Dickson academy; and,

A bill to authorise persons at whose houses elections and musters are held to sell spirituous liquors;

Were both read a third and last time, passed and ordered to be enrolled.

Mr. Rucker returned,

A bill respecting a volunteer company, denominated the guards of the 53rd regiment, with an amendment in lieu of the whole bill, which was read and adopted;

The said bill as amended, was then passed a first time.

On motion of Mr. Huntsman,

A bill to divorce Malinda Mahon from her husband Henry Mahon, was referred to the committee on divorces.

Mr. Howard withdrew for amendment,

A bill to establish the lines between the counties therein named.

Mr. Huntsman withdrew for amendment,

A bill to encourage the building of mills in the western district.

Mr. M'Mans withdrew for amendment,

A bill to regulate the county courts therein named.

On motion of Mr. Reynolds,

A bill authorising the circuit court of Giles county to direct the sale of some of the real estate of Charles Perkins, deceased, and some of the real estate of Tyree Rhodes, deceased, which was rejected to day, was re-considered.

Mr. Brown withdrew said bill for amendment.

And then the senate adjourned.

THURSDAY, NOVEMBER 1st, 1827.

Mr. Gammon presented a petition of sundry citizens of Hawkins county, praying that the heirs of John Grigsby, deceased, be released from the payment of three hundred and thirty three dollars, being a balance of a forfeiture taken against said Grigsby, and not heretofore released, in the circuit court of Roane county, as appearance bail for Sam. Smith;

Ordered, That said petition be referred to the judiciary committee.

Mr. Brown presented a petition of Wm. Hickman, of Giles county, praying to be divorced from his wife Polly;

Ordered, That said petition be referred to the committee on divorces.

Mr. Gray presented a return of the clerk of the county court of Obion county of the amount of state tax due in said county for the year 1827; also, a return of the clerk of said county court of the number of captains' companies and justices of the peace in said county.

Mr. Frey, from the committee of claims to which had been referred,

A bill for the relief of Richard R. P. Powell,

Reported that they have had said bill under consideration, and directed him to report the same;

without amendment, and recommend its passage into a law;

The said bill was read a first time and passed.

A resolution laid upon the table on yesterday by Mr. M'Means, appointing justices of the peace for the county of Perry;

Was read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A resolution laid upon the table on yesterday by Mr. Garrett, to appoint a committee to ascertain and report the amount of money paid by the state for guns impressed from the citizens of this state, during the last war;

Was read and adopted.

Mr. Garrett, Mr. Frey and Mr. Cain, were appointed said committee.

A resolution laid upon the table on yesterday by Mr. Garrett, instructing our senators and instructing our representatives in congress to procure the passage of a law, to refund to this state, the amount paid by the state, for guns impressed during the late war, was read.

On motion of Mr. Howard,

Ordered, That said resolution lie upon the table indefinitely.

The speaker and gentlemen of the senate repaired to the hall of the house of representatives for the purpose of electing a Treasurer of the western district, and were invited to seats within the hall.

The two houses proceeded, by joint ballot, to the election of a Treasurer of the western district, and upon collecting and counting out the ballots, the tellers reported that James Caruthers, had received forty one votes and Andrew Doneven, had received seventeen votes. The speaker then declared that James Caruthers was duly elected Treasurer of the western district.

Whereupon, the speaker and gentlemen of the senate returned to their own chamber, and the speaker resumed the chair.

Mr. M'Means, who had withdrawn

A bill to regulate the county courts therein named, returned the same with an amendatory section authorising the county courts of the counties of Perry, Stewart, Humphreys and Henry, to establish a quorum system, under the same rules, &c. as are allowed to Rutherford and other counties under the act of 1823,

Which was read and adopted.

Mr. Walker moved to insert the county of Hickman, with the counties contained in the amendment of Mr. M'Means, which was also agreed to by the senate.

The said bill as amended, was then read a second time and passed.

The senate took up on its second reading,

A bill to repeal a part of the 2nd and 3rd sections of an act entitled "an act to prevent the depreciation of the Nashville bank paper in the hands of the good people of this state," passed Dec. 11th, 1827,

And after some time spent in the consideration thereof,

Mr. Howard moved that said bill be laid upon the table indefinitely;

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—15.

NOES— 5.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Garrett, Gray, Greene, or R., Howard, Huntsman, Lowry, Lytle, M'Means, Smith, Walker and Williams—15.

T SENATE.

Those who voted in the negative, are;
Mr. Bradford, Cain, Green, of F., Reynolds, and
Rucker.—5.

And so the said bill was laid upon the table
indefinitely.

A bill for the relief of Peter Brakebill and Henry
Stephens,

Was read a third time;

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—10.

NOES— 7.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Brown, Frey, Gray, Greene, of R. Green, of
P. Howard, Lowry, Lytle, Walker and Wil-
liams—10.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Cain, Gammon, M^r.
Means, Reynolds and Rucker—7.

And so the said bill passed.

Mr. Brown, who had withdrawn,

A bill to authorise the circuit court of Giles
county to direct the sale of some of the real estate
of Charles Perkins, deceased, and some of the
real estate of Tyree Rhodes, deceased, returned
the same, with several amendments,

Which were severally read and adopted.

The said bill as amended, was then read a se-
cond time;

And on the question,

Shall the said bill pass,

It was determined in the affirmative;

There being

AYES—10.

NOES— 0.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Brown, Gammon, Gray, Green, of F. Howard, Lowry, Lytle, M'Means, Smith and Walker.
—10.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Cain, Frey, Greene, of R. Huntsman, Reynolds, Rucker and Williams.
—9.

And so the said bill passed.

Mr. Gray laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the state of Tennessee, That Joseph Clay, David Bowen, James Miller, Thomas Davidson, Joseph Wright, Alexander M'Culloch Joseph Degraffenreid, James C. H. Foster and Edwin M'Corcle, be, and they are hereby appointed justices of the peace for the county of Dyer.

Mr. Reynolds laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the state of Tennessee, That the president and directors of the bank of the state of Tennessee, be directed to make no further loans of Nashville bank paper, under the provisions of the act of 1826.

According to a rule of the senate, said resolutions lie one day upon the table,

Mr. Gray introduced,

A bill for the relief of Benjamin C. Totten; and,
A bill to alter the times of holding battalion musters in the county of Henry.

Mr. Lowry introduced

A bill directing the county courts on the subject of roads; and,

Mr. Green, of F. introduced

A bill to provide for the payment of costs in certain cases.

Which bills were severally read a first time, and passed.

A bill regulating certain proceedings on executions and for other purposes; and;

A bill to restore James J. Maxwell to all the privileges of citizenship;

Were both read a second time, and passed.

A bill to define the liability of endorsers on promissory notes, and other instruments for the payment of money;

Was read a second time,

And after some time spent in the consideration thereof.

The senate adjourned.



FRIDAY, NOVEMBER 2nd, 1827.

Mr. Howard presented a petition of sundry merchants, of Sevier county, praying that the tax on merchants, be equalized, agreeably to their dealings;

Ordered, That said petition be referred to the committee of finance.

Mr. Gray presented a petition of sundry citizens of Gibson county, praying the passage of a law, to compel the sheriff and trustee of said county to receive jury claims in payment of county and state taxes;

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Huntsman, from the judiciary committee, to which had been referred

A bill to prevent abuses in granting writs of *certiorari* and *surpseas*;

Reported the same, with an amendment, which was read and adopted.

The said bill was then read a second time and passed.

Mr. Howard made the following report;

The joint select committee to which was referred "so much of the governor's message, as relates to the people south of French Broad and Holston," have had the subject under consideration in connection with the bill referred to them, entitled

"A bill for the purpose of funding the college and academy debt," and the accompanying documents, consisting of a memorial from the people south of the rivers French Broad and Holston, and a report from the trustees of East Tennessee college; and having considered the condition of the people, where claims are represented in the memorial, and the situation of the claims of the colleges and academies, the committee beg leave to report an amendment in lieu of the bill above mentioned from the enacting clause.

All which is respectfully submitted,

T. A. HOWARD, *Ch'n.*

The said amendment was read and adopted, which provided,

That the president and directors of the Bank of the State of Tennessee, should set apart of the capital stock of said Bank, fifteen thousand dollars for the use and benefit of the University of Nashville, and seventeen thousand five hundred dollars for the use and benefit of East Tennessee college, and thirty five thousand dollars, for the use and benefit of the several county academies in this state, so soon as the consent in writing of the president and trustees of the University of Nashville, and the trustees of East Tennessee college, shall be deposited with the president and directors of [the] Bank of the State; and also, relinquish their several claims, to the debts due from south of French Broad and Holston, to said institutions.

On motion of Mr. Green, of E.

T2 SENATE

Ordered, That sixty copies of said bill be printed for the use of the senate.

Mr. Lowry, from the committee of propositions and grievances, to which had been referred sundry petitions, praying an amendment to the act authorising Jesse Savage and Benj. Cannon, to open a turnpike road as to the graduation of the hills and rates of toll; also petitions to amend said law, so as to compel said Savage and Cannon to run their road by Gideon Bouldin's with counter petitions, reported

A bill to repeal part of the 2nd section of an act, entitled "an act to authorise Jesse Savage and Benjamin Cannon, to open a turnpike road, passed Dec. 8th, 1826;

Which bill was read a first time.

Mr. Green, of F. moved to amend said bill by adding thereto the following *proviso*;

"Provided, however, that it shall be the duty of the said Savage and Cannon to open their road, and construct the same along the road called Hill's trace, so as to pass the house of Gideon Bouldin, residing on the mountain on the said Hill's trace road."

And the question thereon was taken,

And determined in the negative.

The said bill then passed a first time.

Mr. Brown from the committee on enrolled bills, reported that the committee had examined and found truly enrolled,

An act authorising persons at whose houses elections and musters are held, to sell spirituous liquors; and,

An act for the benefit of Dickson academy.

The speaker signed [said] enrolled bills.

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

A resolution laid upon the table on yesterday

for the appointment of justices of the peace for the county of Dyer;

Was taken up, read and adopted;

A resolution laid upon the table on yesterday by Mr. Reynolds, directing the president and directors of the Bank of the State to make no further loans of Nashville money; was taken up and read, and

On motion of Mr. Rucker,

Ordered, That said resolution lie upon the table for further consideration.

A message from the house of representatives, by Mr. Campbell, their clerk,

Mr. SPEAKER;

The house of representatives has passed a resolution that no bills shall be introduced into either branch of this legislature at the present session after the 15th of Nov. inst., unless the same be reported by some committee; also, a resolution that a joint select committee be appointed to receive the propositions of the Nashville bank for the payment and redemption of their notes, which are now in the vaults of the Bank of the State of Tennessee of said Nashville bank, and that said committee report to this General Assembly; and have appointed Messrs. Brady, Boddie, Aikin and Campbell, said committee on their part.

In which they ask your concurrence.

And then he withdrew.

On motion of Mr. Howard,

The rule of the senate requiring resolutions to lie one day upon the table, was suspended so far as it affects the last mentioned of the resolutions received from the house of representatives.

The said resolution was then read and concurred in; Mr. Howard and Mr. Huntsman, were appointed said committee;

Ordered, That the clerk acquaint the house of representatives therewith.

Mr. Lowry introduced

A bill to provide for the regulation of the town of Bellico in the county of Monroe; and,

Mr. Gray introduced

A bill to amend the militia law of this state;

Which bills were both read a first time, and passed.

A bill to authorise James Smith and Wm. Farrier to build a mill dam across Duck river;

A bill for the relief of David Henry Houser;

A bill appointing additional commissioners for the town of Philadelphia in the county of Monroe;

A bill for the relief of Wm. Chambers, of Monroe county;

A bill for the relief of Banks M. Burrow, trustee of Carroll county;

A bill to incorporate the towns of Bolivar and Paddy;

A bill for the relief of Eli Newland, of Cooke county;

A bill for the relief E. W. Boyle, register of Hardeman county;

A bill to incorporate a female academy in the town of Fayetteville;

A bill for the benefit of the persons therein named;

A bill for the appointment of additional trustees for the University of Nashville;

A bill for the relief of Wm. Carter, sheriff of Carter county;

A bill for the relief of the heirs of James Stewart and others;

A bill to authorise the clerk of the county court of Bledsoe to keep his office at his own house;

A bill to amend an act, passed Oct. 9th, 1824, for the benefit of the estate of Henry Walker, deceased;

A bill to amend an act, passed Nov. 20th, 1826, to authorise James Rogers to open a turnpike road;

A bill to authorise Wm. Smith, of M'Minn county, to hawk and peddle;

A bill for the relief of George Gordon;

A bill to establish a turnpike road in the western district; and,

A bill for the benefit of Wm. Price;

Were severally read a second time, and passed;

Mr. Huntsman returned

A bill to encourage the building of mills in the western district, with an amendment, which was adopted.

The said bill was then read a second time and passed.

Mr. Howard returned

A bill to establish the lines between the counties therein named, with an amendment,

Which was read and adopted.

Mr. Green, of F. then withdrew said bill for further amendment.

Mr. Bradford returned

A bill for the relief of appearance bail, with an amendment.

On motion of Mr. Williams,

Ordered, That said bill and amendment lie upon the table.

Mr. Huntsman withdrew for amendment,

A bill for the relief of the heirs of Wm. C. Ward, deceased.

Mr. Rucker withdrew for amendment,

A bill to extend the terms of the circuit court of Davidson county.

On motion of Mr. Reynolds,

Ordered, That

A bill to establish a medical society in this state, be referred to a select committee.

The speaker appointed Mr. Reynolds, Mr. Walker and Mr. Green, of F. said committee.

And then the senate adjourned.

SATURDAY, NOVEMBER 3rd, 1827.

Mr. Huntsman presented a petition of James Brown, praying the passage of a law, directing the register of West Tennessee, to cancel and make void grant No. 21,858, founded on entry No. 278 for 476 acres, and issue a grant for the same amount on entry No. 717;

Ordered, That said petition and documents be referred to the committee on land claims.

The senate took up a resolution received from the house of representatives on yesterday to limit the introduction of bills to the 15th inst.

Which was read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

Mr. Gray introduced

A bill to alter the name of Polly Capalinger to Polly Trout, and for other purposes.

Mr. Lowry introduced

A bill for the benefit of the Unicoi turnpike company; and,

Mr. Huntsman introduced

A bill for the relief of the heirs and next of kin to Charles Stephen Bashe, deceased.

Which bills were severally read a first time and passed.

Mr. Howard laid upon the table the following resolution.

Resolved, That the committee on banks be instructed to enquire into the expediency of instructing the president and directors of the Bank of the State of Tennessee, by law or otherwise, to receive of the debtors thereof in payment, notes on all specie paying banks, and that said committee report by bill or otherwise.

Mr. Gammon laid upon the table the following resolution:—

Resolved, That the president and directors of

The Bank of the State of Tennessee report to this General Assembly what amount of Nashville money they have on hand, and the amount they have loaned under the act of 1826, and when said loans were made, and when due.

According to a rule of the senate, said resolution lies one day upon the table

Received from the house of representatives,

A bill for the relief of David Clark;

A bill for the relief of Wm. Mays and others;

A bill to authorise Abraham Johns to build a fish trap and dam in Clinch river, in Anderson county;

A bill for the relief of Hugh G. Gurley;

A bill to provide for improvements made on school lands;

A bill to alter the name and legitimate the person therein named;

A bill to prescribe the mode of obtaining appeals in certain cases;

A bill to make entries in the Hiwassee district liable to execution;

A bill to authorise the circuit court of Davidson county to order the opening of new lanes and alleys in the town of Nashville;

A bill to appoint additional trustees of Bolivar academy;

A bill to amend an act, entitled "an act directing the mode of proceeding against the estates of deceased debtors, where the personal estate is insufficient for the payment of the debts;

A bill to give the circuit courts of this State exclusive jurisdiction in cases of petit larceny and actions of slander;

A bill to amend the law in relation to divorces;

A bill for the relief of those citizens in the Hiwassee district, who have been sued by Indian reserves;

A bill for the relief of George Hicks;

A bill to authorise the county court of Weakly to lay a tax for the purpose therein named;

A bill to amend an act, entitled "an act for the improvement of the manufacture of lead," passed 17th October, 1825;

A bill to extend the benefits of an act, entitled "an act for the relief of the citizens who entered lands ceded to Kentucky, under the act of 1823, making provisions for entering lands at twelve and a half cents per acre ;

A bill appointing additional trustees for Transmontania academy, in the county of Sumner;

A bill to compel sheriffs to do their duty;

A bill to appoint additional trustees for Campbell academy, in the county of Wilson;

A bill to establish a precinct election in the county of Greene;

A bill to reduce into one act the patrol laws;

A bill for the relief of Snowden Hickman, of Wilson county;

A bill for the benefit of Forest Hill academy, in the county of M'Minn;

A bill for the benefit of John Collet;

A bill for the benefit of sheriffs,

A bill to authorise the entering of any quantity of land north and east of the congressional reservation line, and north of Tennessee river;

A bill for the relief of Riley Yeates; and,

A bill for the benefit of the citizens of Sullivan county,

Which bills were severally read a first time, and passed.

A bill to authorise the opening of the navigation of the Caney Fork of Cumberland river;

A bill for the relief of James W. Smith;

A bill to repeal part of an act passed 9th Dec. 1826, for the benefit of Frederick A. Ross;

A bill for the benefit of Archibald M'Kissick;

A bill to incorporate the inhabitants of the town of Dresden, in the county of Weakly;

A bill supplemental to an act, entitled "an act

to regulate the county courts of Rutherford and other counties," passed Nov. 11th, 1823;

A bill for the relief of Wm. M'Cann: and,

A bill to provide for the payment of jurors in the county of Warren,

Were severally read a second time, and passed.

A bill for the relief of Banks M. Burrow, trustee of Carroll county; and,

A bill for the relief of Bradley & Carroll,

Were both read a third time, and passed.

A bill for the relief of Thomas Peyton;

A bill to improve the navigation of Elk river;

A bill to restore James J. Maxwell and Thomas Faris, to the rights of citizenship;

A bill for the relief of Samuel Douthett;

A bill for the appointment of additional trustees for H. H. H. Academy, in the county of Anderson;

A bill to amend an act, entitled "an act to authorize Matlock to open a turnpike road;

A bill for the relief of the heirs of James Stewart

A bill to authorise Wm. Farrer and James Smith,

to build a dam across Duck river; and,

A bill to encourage the building of mills in the

county of Warren,

Were severally read a third and last time, passed,

and were enrolled.

A bill to authorise the persons therein named to

raise a loan of one hundred thousand dollars for

improving the navigation of Cum-

berland river,

Was read a second time,

On the question, shall the said bill pass?

It was determined in the affirmative;

There being

AYES—16.

NOES—2.

The yeas and nays being required;

Those who voted in the affirmative, are;

U. SENATE.

Mr. Speaker Hall, Bradford, Brown, Cain, Frey, Gammon, Garrett, Gray, Huntsman, Lowry, Lytle, M'Means, Reynolds, Rucker, Walker, and Williams.
—16.

Those who voted in the negative, are;

Mr. Green, of F., and Howard.—2.

And so the said bill passed.

A bill to repeal part of an act, entitled “an act to repeal an act, entitled an act to place upon the same equitable grounds deeds of trust and mortgages in future,” passed 12th Nov. 1823,

Was read a second time, and rejected.

A bill to provide for the election of electors of President and Vice President of the United States, was ordered to be engrossed for a third reading.

Mr. Rucker returned a bill to extend the terms of the circuit court of Davidson county, with an amendment, which was adopted.

The said bill was then read a second time, and passed.

Mr. Garrett returned a bill to amend an act to empower securities to recover damages in a summary way.

On motion of Mr. Howard,

Ordered, That said bill lie upon the table.

Mr. Huntsman returned a bill for the benefit of poor defendants, with an amendment in lieu of the whole, which was adopted.

The said bill was then read a second time, and passed.

On motion of Mr. Howard,

Ordered, That a bill for the purpose of funding the college and academy debt be made the order of the day for Tuesday next.

On motion of Mr. Bradford,

Ordered, That a bill to amend an act for the relief of Jesse Mayfield be referred to the committee on claims.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The speaker of the house of representatives has signed enrolled bills entitled

An act for the relief of Peter Brakebill and Henry Stephens;

An act to authorise the county court of Haywood county to lay a tax for certain purposes;

An act to authorise lotteries for the benefit of Covington, Woodward, and Little Bigby academies;

An act for the benefit of John Tucker, of McMinn county; and,

An act to authorise James W. Wyley to sell certain real estate,

Which I am directed to deliver to the senate to receive the signature of their speaker. I am also directed to deliver to the senate a report of the president and directors of the Nashville Bank.

They have adopted a resolution instructing the treasurer of West Tennessee to collect certain monies; in which they ask your concurrence.

And then he withdrew.

The speaker signed the enrolled bills received from the house of representatives.

Ordered, That the clerk deposit them in the office of the Secretary of State.

The report of the president and directors of the Nashville Bank was read at the clerk's table, and

On motion of Mr. Reynolds,

Ordered, That sixty copies of said report be printed.

Ordered, That the resolution received from the house of representatives, directory to the treasurer, lie upon the table for consideration.

And then the senate adjourned.

MONDAY, NOVEMBER 5th, 1827.

A resolution, laid upon the table on Saturday by Mr. Howard, instructing the committee on banks to enquire into the expediency of directing the president and directors of the Bank of the State of Tennessee to receive from its debtors in payment notes of all specie paying banks,

Was taken up, read and adopted.

A resolution, laid upon the table on Saturday by Mr. Gammon, requiring the president of the Bank of the State of Tennessee to report the amount of Nashville Bank paper on hand, the amount loaned, &c

Was taken up, read, and adopted.

A resolution authorising the treasurer of West Tennessee to collect certain monies, received from the house of representatives on Saturday, was

On motion of Mr. Brown,

Ordered, To lie upon the table for further consideration.

Mr. Green, of F., laid upon the table the following resolution:—

Resolved, That the committee on land claims report the leading facts accompanying each claim submitted for their consideration.

The rule of the senate, requiring resolutions to lie on the table one day, was suspended.

The said resolution was then read, and

On motion of Mr. Bradford,

Ordered, That Mr. Green, of F., be added to the committee on land claims.

On motion of Mr. Walker,

Ordered, That Mr. M'Means be added to the committee on land claims.

Mr. Greene, of R., laid upon the table [the] following resolution:—

Resolved, That the penitentiary committee be instructed to enquire into the expediency of erecting

ing two penitentiaries in this State, one in East and one in West Tennessee, and that the nett profits of the Bank of the State, for the years 1827 and 1828, be set apart and appropriated for the procuring the materials, and building the same, and that they report by bill or otherwise.

According to a rule of the senate, said resolution lies one day on the table.

Mr. Lowry introduced

A bill to establish a town on the lands of Jacob Moore, of M'Minn county; and,

A bill for the benefit of the citizens of Cade's Cove; and,

Mr Howard introduced

A bill to repeal the second section of an act, entitled "an act to authorise the justices in Greene county to lay and collect a tax for the purpose of finishing the new court house, and for other purposes," passed Oct. 12th, 1824, and to empower the county court of said county to do certain duties.

Which bills were severally read a first time, and passed.

A message from the house of Representatives, by Mr. Campbell their clerk.

Mr. SPEAKER,

The speaker of the house of representatives having signed an enrolled bill entitled

An act to amend an act for the relief of Bradley & Carroll, I am directed to deliver the same to the senate, to receive the signature of their speaker. They have received and accepted the resignation of Alexander Brown, a justice of the peace for Stewart county. They have also received and read a petition of sundry citizens of Greene county, praying amendments to the laws on bastardy.

And then he withdrew.

The speaker signed the enrolled bill received from the house of representatives;

U2 SENATE

Ordered, That the clerk deposit the same in the office of the Secretary of State.

The resignation of Alexander Brown, a justice of the peace for Stewart county was read, and accepted.

On motion of Mr. Howard,

Ordered, That the petition received from the house of representatives, be referred to the committee of propositions and grievances.

Received from the house of representatives,

A bill granting a re-survey of Overton county;

A bill to authorise Jesse Matthis to enter a certain tract or parcel of land therein named;

A bill for the benefit of Tennessee academy, in the county of Rhea;

A bill to amend an act to prevent any person from practising as an attorney in any court of which he is clerk or justice of the peace, passed Oct. 22, 1817;

A bill to establish a female academy in Bolivar, in the county of Hardeman;

A bill to encourage and facilitate the intercourse between the States of North Carolina and Tennessee;

A bill to authorise the county court of Carter county to open a turnpike road; and,

A bill to amend the several statutes of this State relative to orphan's estate,

Which bills were severally read a first time, and passed.

A bill for the relief of Wm. Lawrence;

A bill to establish precinct elections in the counties of Carter and White; and,

A bill for the relief of the commonwealth of the county of Monroe,

Were severally read a second time, and passed.

A bill to provide for the security of creditors in certain cases,

Was read a third time, and passed.

On motion of Mr. Green, of F.,

The senate took up a bill for the relief of appearance bail, together with the amendment offered by Mr. Bradford on Friday, both of which were laid upon the table, the said amendment was read, and adopted.

The said bill was then passed a third time.

Mr. Huntsman withdrew, for amendment, a bill to define the liability of endorsers on promissory notes and other instruments for the payment of money.

Mr. Rucker withdrew, for amendment, a bill authorising a lottery for improving the navigation of Hatchie river.

Mr. M'Means withdrew, for amendment, a bill to provide for the occupants south and west of the congressional reservation line.

Mr. Huntsman withdrew, for amendment, a bill to divide the 68th regiment of Tennessee militia.

And then the senate adjourned.

TUESDAY, NOVEMBER 6th, 1827.

Mr. Lowry presented a memorial of Samuel M. Lowry, stating that he became purchaser at the public land sales, or the assignee of purchasers at such sales, of several tracts or parcels of land in the 11th district, that subsequently actions of ejectment were instituted against him by John Hilderbrand, a reservee, under the treaties with the Cherokee Indians, and recovery had against him in the circuit court of Knox county, praying that the treasurer of East Tennessee be directed to refund to him principal and interest paid on such land; also, the cost and expenses incurred in the defence of said actions of ejectment.

Ordered, That said memorial be referred to the committee on Indian reservations.

Mr. Brown, from the committee on enrolled bills, reported that they had examined and found to be truly enrolled

An act for the appointment of additional trustees for Houston academy, in the county of Anderson, and Pleasant Forest academy, in Overton county;

An act for the relief of Samuel Douthett;

An act for the benefit of Thomas Peyton;

An act to encourage the building of mills in the western district; and,

An act to improve the navigation of Elk river.

The speaker signed said enrolled bills;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

The senate took up, and proceeded to consider a bill to continue certain causes, together with an amendment offered in lieu of the whole bill, by Mr. Howard, both of which had been laid upon the table. The said amendment provided for the appointment of Wm. B. Reese, Esq. as assistant counsel to attend to the reservation suits in behalf of the State, during the absence of H. L. White, counsel for the State under the act of 1826.

Mr. Rucker offered an amendment in lieu of Mr. Howard's amendment, which provided that Hugh L. White should appoint counsel to argue any of said causes that might be tried during his absence;

And the question thereon being taken,

It was determined in the affirmative;

There being

AYES—12.

NOES— 7.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Cain, Frey, Gammon,

Greene, of R. Lowry, Lytle, M'Means, Rucker, Smith and Walker.—12.

Those who voted in the negative, are,

Mr. Bradford, Gray, Green, of F., Howard, Huntsman, Reynolds and Williams—7.

And so the said amendment was adopted.

The said bill was then read a second time;

And on the question,

“Shall the said bill pass?”

It was determined in the affirmative;

There being

AYES—11.

NOES— 8.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Greene, of R. Green, of F. Howard, Lowry, Lytle, Rucker, and Walker.—11.

Those who voted in the negative, are;

Mr. Bradford, Cain, Gray, Huntsman, M'Means, Reynolds, Smith and Williams.—8.

And so the said bill passed.

Mr. Reynolds laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That his excellency the governor, be requested to lay before this General Assembly, a statement, shewing the number and description of arms belonging to the state now in the armory at Nashville; also, the number and description of arms that have been delivered to volunteer companies, agreeably to an act of Assembly; and also, a statement shewing the strength and condition of the militia agreeably to the last return.

Mr Lytle laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That grants No. 2,153, 1719 and 2,941, be referred to the commissioner for adju-

dication, and if it shall appear, to the satisfaction of said commissioner that they are interfered with, by older and better title, to issue certificates for such interferences; *Provided*, said grants are founded on good and valid warrants, and no other grants ever issued thereon; *And provided*, no certificates ever issued heretofore for such interferences.

Mr Smith, laid upon the table the following resolution:

Resolved, That the committee on finance be instructed to enquire into the expediency of adopting some measure, to convert into par funds, the uncurrent notes on sundry banks, now in the Treasury amounting to \$3,154, and report by bill or otherwise.

According to a rule of the senate, said resolutions lie one day upon the table.

The speaker laid before the senate a report of [the] cashier of [the] State Bank of Tennessee at Knoxville, made in obedience of [a] joint resolution of the General Assembly, calling upon said bank to report whether said bank has substituted a lien on real estate, for personal security, and whether any loss is likely to be sustained by such exchange of securities, and if so, how much.

The said report was read at the clerk's table, and

Ordered, That said report be transmitted to the house of representatives for their consideration.

A bill for the benefit of Wm. B. Carter; and,

A bill for the relief of owners of lots in the town of Philadelphia, in the county of Monroe;

Were both read a second time and passed.

A bill to establish a turnpike road in the western district;

Was read a third and last time, passed and ordered to be enrolled.

On motion of Mr. Green, of F.,

Ordered, That

A bill regulating the fees of the justices of the peace, be referred to the committee on the judiciary.

A bill for the relief of James Williams, former sheriff of Wilson county;

Was read a second time.

Mr. Howard offered an amendment to said bill authorising Alfred Hunter, late sheriff of Greene county to collect (within two years) the arrearages of taxes due, during the time he acted as sheriff, which was received.

The said bill was then passed.

Mr. Huntsman returned.

A bill to divide the 68th regiment Tennessee militia, with an amendment, which was adopted.

The said bill was then read a third time and passed.

Mr. Huntsman returned.

A bill to define the liability of endorsers on promissory notes, and other instruments of writing for the payment of money and for other purposes, without amendment;

Ordered, That Mr. Bradford have leave to withdraw said bill for amendment.

Mr. Huntsman returned, without amendment.

A bill for the relief of the heirs of Wm. C. Ward, deceased,

Which was read a second time,

And on the question,

Shall the said bill pass?

It was determined in the negative;

There being

AYES— 7.

NOES— 2.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Brown, Green, of F., Gammon, Howard, Lowry, Lytle, and M'Means.—7.

Those who voted in the negative, are;

Mr. Speaker Hall, Cain, Frey, Gray, Greene, of R., Huntsman, Reynolds, Rucker, and Williams.

—9.

And so the said bill was rejected.

Mr. M'Meaus withdrew for amendment,

A bill for the benefit of John Faris, a revolutionary soldier.

On motion of Mr. Lowry,

Ordered, That

A bill for the purpose of funding the college and academy debt, which was, on Saturday last, made the order of this, be laid upon the table for further consideration.

And then the senate adjourned.



WEDNESDAY, NOVEMBER 7th, 1827.

Mr. Howard presented a memorial of John Love, stating that he is plaintiff in [a] suit, depending in the supreme court at Knoxville, and that only one of the present judges of said court, is competent to sit on the trial of said cause, and praying the appointment of special judges, to sit with the competent judge, for the trial of said cause, and that said court be authorised to hold a special term for the trial of said cause;

Ordered, That said memorial be referred to the committee on the judiciary

Mr. Smith presented a petition of Nelly Groom, praying that a grant may be issued to the heirs of John Groom, deceased, for seventy five acres, on an entry founded on certificate warrant No. 385, without the production of said certificate warrant;

Ordered, That said petition be referred to the committee on land claims.

Mr. Greene, of R. from the committee on Indian reservations, to which had been referred

A bill for the relief of such persons, as may be sued by those claiming title to certain Indian reservations in this state, reported the same without amendment;

Ordered, That said bill lie upon the table.

Mr. Greene, of R from the same committee, to which had been referred a memorial of Samuel M'Connell, reported

A bill for the relief of Samuel M'Connell;

Which was read a first time and passed.

Mr. Greene, of R. from the same committee, to which had been referred a transcript of the record in the suit Lewis Ross' lessee vs. Benj. Bond, reported

That the committee had directed him to ask to be discharged from the consideration of said record, and that it accompany the bill, heretofore reported for the relief of said Benj. Bond;

Ordered, That said committee be discharged from the consideration of said record, and that it accompany said bill.

A resolution laid upon the table on yesterday by Mr. Smith, instructive to the committee of finance;

Was taken up, read and adopted.

A resolution laid upon the table on yesterday by Mr. Lytle, referring sundry grants to the commissioner for adjudication, was taken up and read.

Ordered, That said resolution be referred to the committee on land claims.

A resolution laid upon the table on yesterday by Mr. Reynolds, requesting his excellency the governor to lay before the legislature, a statement of the number and description of arms belonging to the state, the number and description of arms distributed to volunteer companies, &c.

Was taken up, read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

V. SENATE.

The senate took up, and proceeded to consider, A bill to extend the provisions of an act, passed at Nashville, entitled "an act to amend an act to dispose of the lands lying between the rivers Hiwassee and Tennessee, and north of Little Tennessee river, passed Nov. 15th, 1819;" which provided, "that the provisions of said act should be and remain in force until the first day of January 1829, and that any purchaser paying all or any part of his debt, shall be entitled to the discount mentioned in the act this is intended to revive, upon such sum as may be paid."

Mr. Green, of F. moved to amend said bill by inserting after the words "or any part" the words "not less than one fourth," which was agreed to by the senate.

Mr. Bradford moved to amend said bill by striking out so much thereof as authorises a discount of 25 per cent. on amounts less than the whole debt, and that such discount be allowed only to purchasers who may pay the whole of their debt;

And the question thereon was taken,

And determined in the negative,

There being

AYES— 4.

NOES—15.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford, Frey, Reynolds, and Smith—4.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Cain, Gammon, Gray, Greene, of R., Green, of F. Howard, Huntsman, Lowry, Lytle, M'Means, Rucker, Walker and Williams.—15.

And so the said amendment was not made.

Mr. Reynolds offered the following proviso, as an amendment to said bill;

"Provided said payments are made in par funds."

On motion of Mr. Williams,

Ordered, That said bill and amendment be laid upon the table till to-morrow.

Mr. Green, of R. laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the state of Tennessee, That a warrant issued by the commissioner of East Tennessee, dated the 6th April, 1809, founded on entry No. 1889, in John Armstrong's office, be referred to the secretary of state for adjudication.

Mr. Gray laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That Stephen Williams, Beaman Fowler, Madison M'Laurin, William Moore, Simpson Shaw, John P. Thomas, Elijah Billingsly, William Dunegan and John Williams, be, and they are hereby appointed justices of the peace for the county of Gibson.

According to a rule of the senate, said resolutions lie one day upon the table.

Mr. Huntsman introduced

A bill directing the president and directors of the Bank of the State to equalize the loans in the respective counties of this state; and,

A bill for the relief of sheriffs;

Which bills were both read a first time, and passed.

Mr. Brown from the committee on enrolled bills, reported that they have examined and found to be truly enrolled,

An act to restore James J. Maxwell, and Thos. Faris to the rights of citizenship;

An act authorising Wm. Farren and James Smith, to build a mill dam across Duck river;

An act to amend an act, entitled "an act authorising William Matlock to open a turnpike road, passed Nov. 3rd, 1823; and,

An act for the relief of the heirs of James Stewart;

The speaker signed said enrolled bills.

Ordered, That the clerk transmit them to the House of representatives, to receive the signature of their speaker.

A bill extending the benefits of an act, entitled "an act respecting the improvements of land," passed Oct. 18th, 1813, to the people of the Hiwassee district;

Was read a second time, and passed.

A bill to provide for the election of electors of president and vice president of the United States, which had been engrossed for a third reading;

Was read a third time and passed.

A bill to amend an act, for the benefit of the estate of Henry Walker, deceased, passed 9th Oct. 1824;

Was read a third and last time, passed and ordered to be enrolled.

A bill to amend the 3rd section of an act, entitled "an act to amend the law respecting suits to be brought against endorsers of promissory notes, bills of exchange, writings obligatory, and for other purposes, passed 29th July, 1820; and,

A bill for the benefit of John Dale, and John Hammuck;

Were both read a second time and rejected.

Mr. Rucker who had withdrew for amendment,

A bill authorising a lottery for improving the navigation of Hatchie river, returned the same without amendment.

The said bill was then read a second time and passed.

Mr. Gammon withdrew for amendment,

A bill for the relief of Wm. B. Carter.

Mr. Walker withdrew for amendment,

A bill making an appropriation of money to de-

fray the expenses of the first session of the seventeenth General Assembly.

The senate took up and proceeded to consider,

A bill more effectually to provide for the prosecution of offenders.

Mr. Green, of F. moved to amend the title thereof to read

A bill to provide the manner in which costs in criminal cases shall be paid and for other purposes;

And the question thereon was taken,

And passed in the affirmative;

The question was then taken,

Shall the said bill be engrossed for a third reading,

And determined in the affirmative.

There being

AYES—13.

NOES— 6.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Gammon, Gray, Greene, of R., Green, of F. Howard, Huntsman, Lowry, M'Means, Smith, Walker and Williams.
—13.

Those who voted in the negative, are;

Mr. Bradford, Cain, Frey, Lytle, Reynolds and Rucker- 6.

And so the said bill was ordered to be engrossed for a third reading.

And then the senate adjourned.

THURSDAY, NOVEMBER 8th, 1827.

A resolution laid upon the table on yesterday by Mr Greene, of R. referring a land warrant to

V2 SENATE.

the secretary of state for adjudication was read, and

Ordered, To be referred to the committee on land claims.

A resolution laid upon the table on yesterday by Mr. Gray, appointing justices of the peace for the county of Gibson; was read and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Received from the house of representatives,

A bill to divide the first battalion of the 81st regiment into two battalions;

A bill to authorise the courts of pleas and quarter sessions to appoint trustees for colleges and academies in all cases of vacancies;

A bill to establish a female academy at Purdy, in the county of M'Nairy;

A bill to authorise Daniel W. Love, to act as an auctioneer in the town of Bolivar;

A bill to change the name of the town of Hardinsville, in the county of Hardin to that of Savannah, and for other purposes;

A bill for the relief of certain militia companies in the 89th regiment of Tennessee militia;

A bill to restore Thomas Rash to the privileges of citizenship;

A bill to authorise the sheriffs of the respective counties in this state, to receive in payment of taxes, certain descriptions of bank notes on the specie paying banks of the adjoining states;

Which bills were severally read a first time, and passed.

Received from the house of representatives

A bill to amend the laws organizing the militia of this state.

On motion of Mr. Brown,

Ordered, That said bill be referred to the military committee

Received from the house of representatives,

A bill to provide for the satisfaction of certain judgments rendered by justices of the peace.

On motion of Mr. Smith,

Ordered, That said bill be referred to the judiciary committee.

Received from the house of representatives,

A bill giving additional fees to jailors,

Which was read a first time, and rejected.

A message from the house of representatives, by Mr. Campbell, their clerk.

Mr. SPEAKER,

The speaker of the house of representatives having signed an enrolled bill, entitled an act for the relief of Banks M. Burrow, trustee of Carroll county, I am directed to deliver the same to the senate, to receive the signature of their speaker.

The house of representatives concur in your resolutions appointing justices of the peace for the counties of Obion, Dyer, Perry, and Wilson; also, in your resolution to appoint a joint select committee to enquire into the expediency of petitioning congress, or of adopting proper and necessary measures in order to remove some of the causes called reservation cases from the courts of this State to the supreme court of the U. States, and have appointed Messrs. Campbell, Forrester, Davis, Tipton, Lindsay, and Hope, to be of said committee on their part; and also, in your resolution requesting certain information of his excellency respecting the arms belonging to the State, and the strength of the militia.

They have adopted a resolution appointing James Garrett, John Morehead, William A. Tucker, Boon Wilson, Abner Shad, and Doak Nixon, of Lincoln county; William H. Burton, William D. Carrington, Hugh Ross, Felix W. Henry, Abraham Derryberry, and John Howell, of Henderson county; Claiborne Chissum, Thomas Smith, James H.

Rogers, John Wharton, A. D. Berry, and Tho. H. , of Madison county; Nathan Coates, George W. Lea, and John R. Huff, of Jackson county; Paul A. derson, of Wilson county; and Joel D. Mitchell, of Marion county, be appointed justices of the peace for their respective counties, in which they ask your concurrence.

And then he withdrew.

The speaker signed the enrolled bill received from the house of representatives.

Ordered, That the clerk deposit it in the office of the Secretary of State.

On motion of Mr. Greene, of R.,

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The resolution from the house of representatives, appointing justices of the peace for the counties of Lincoln, Henderson, Madison, Jackson, Wilson, and Marion, was then read and concurred in.

Ordered, That the clerk acquaint the house of representatives.

Received from the house of representatives,

A bill to divorce Jane Harmon from her husband John Harmon;

A bill to divorce Thomas Marler from his wife.

A bill to divorce J. W. Edwards from his wife;

A bill to divorce Joseph Sloss from his wife Sarah;

A bill to divorce the persons therein named;

A bill to divorce Lucy Williamson from her husband George Williamson;

A bill to divorce Betsey H. Lindsay from her husband Green B. Lindsay;

A bill to divorce Celia Suttle from her husband Henry, and for other purposes; and,

A bill to divorce the persons therein named;

Ordered, That said bills be referred to the committee on divorces.

On motion of Mr. Huntsman,

Ordered, That a bill to divorce Frederick Smith from his wife Nancy;

A bill to divorce Nathaniel Maddin from his wife Anna; and,

A bill to divorce Nancy Creacy from her husband John Creacy, which are on their second reading, be referred to the committee on divorces.

On motion of Mr. Green, of F.,

Ordered, That a bill to increase the common school fund; and,

A bill to promote the common school fund be referred to the committee on education and common schools.

Mr. Huntsman withdrew, for amendment, a bill to extend the acts of 1788, ch. 34, and 1809, ch. 30, for the benefit of proprietors of iron works to that part of the State lying south and west of the congressional reservation line.

Mr. Green, of F., laid upon the table the following resolution:—

RESOLVED, *by the General Assembly of the state of Tennessee,* That Martin St. John be, and he is hereby appointed a justice of the peace for the county of Warren.

According to a rule of the senate, said resolution lies one day upon the table.

Mr. Howard laid upon the table the following resolution:—

Resolved, That the standing committees in the two branches of the General Assembly on education and common schools be and act as a joint committee.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended, and said resolution was then adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A bill for the benefit of John Wilkerson;

A bill to restore Nathan Fannon to the rights of citizenship;

A bill to alter the times of holding battalion musters in the 78th regiment of Tennessee militia;

A bill for the relief of some of the militia companies in the 6th regiment of Tennessee militia;

A bill for the relief of Riley Yates;

A bill for the benefit of John Cottrell;

A bill to authorise Christopher Balkham, and Thomas Norman, to hawk and peddle without license;

A bill to authorise a lottery to build a bridge across Smith's Fork, near Lancaster;

A bill to establish a precinct election in the county of Greene;

A bill to authorise the circuit court of Davidson county to order the opening of any new street, lane or alley in the town of Nashville; and,

A bill to appoint additional trustees for Bolivar and Lexington academies,

Were severally read a second time, and passed.

A bill to amend an act, entitled "an act concerning the trustees of Overton county," passed 1825;

A bill for the benefit of Archibald M'Kissick;

A bill to incorporate the inhabitants of the town of Dresden, in the county of Weakly;

A bill for the relief of such persons as may wish to have their names altered;

A bill to repeal part of an act, passed 9th Dec. 1826, for the benefit of Frederick A. Ross;

A bill to establish a female academy in the town of Fayetteville;

A bill to authorise the clerk of the county court of Bledsoe county to keep his office at his own house;

A bill appointing additional commissioners for the town of Philadelphia, in the county of Monroe;

A bill for the appointment of additional trustees for the university of Nashville; and,

A bill for the benefit of E. W. Boyte, register of Hardeman county, and for other purposes,

Were severally read a third, and last time, passed, and ordered to be enrolled.

A bill to alter the name, and legitimate the persons therein named; and,

A bill to prevent free negroes and mulattoes from selling spirituous liquors,

Were both read a second time, and rejected.

Mr. M'Means returned, without amendment, a bill for the benefit of Johnson Faris, a revolutionary soldier,

Which was read a second time, and rejected.

Mr. Lytle introduced

A bill for the more effectual administration of justice in criminal cases,

Which bill was read a first time, and passed.

Mr. Bradford introduced

A bill to reduce the State tax on lands and white poll,

Which was read a first time, and

On motion of Mr. Williams,

Ordered, That said bill lie upon the table, and be the order of the day for Monday next.

Mr. M'Means who had withdrawn, for amendment, a bill to provide for the occupants south and west of the congressional line, returned the same, and moved to strike out the amendment made by the house of representatives on the second reading, and reinstate the original bill as introduced in the senate;

And the question thereon was taken,

And it passed in the affirmative.

Mr. M'Means also offered amendatory sections to said bill, which were read, and accepted.

Mr. Huntsman then withdrew said bill for further amendment.

On motion of Mr. Walker,

Ordered, That a bill prescribing the duties of the

president and directors of the Bank of the State of Tennessee, be the order of the day for Tuesday next.

And then the senate adjourned.

FRIDAY, NOVEMBER 9th, 1827.

Mr. Lowry presented a petition of Robert Hood, praying the passage of a law authorising the treasurer of East Tennessee to pay the cost and expenses incurred in a suit, Coloneskies lessee, against said petitioner; also, a petition of Robert Sloane, praying the passage of law authorising the treasurer of East Tennessee to pay the cost and expenses incurred in a suit, Coloneskies lessee, against said petitioner; and also, a petition of John Weir, praying to be released from the payment of the interest and instalments due on a certain quarter section of land, which has been recovered of him by Coloneskies lessee;

Ordered, That said petitions be referred to the committee on Indian reservations.

Mr. Huntsman, from the judiciary committee, to which had been referred a bill to amend an act for the relief of Joel H. Dyer, executor of Robert H. Dyer, deceased, reported that the committee had considered said bill, and directed him to report the same without amendment.

The said bill was read a second time, and

On motion of Mr. Huntsman amended and passed.

Mr. Brown, from the committee on enrolled bills, reported that the committee had examined, and found truly enrolled

An act to amend an act, passed 9th Oct. 1824, for the benefit of the estate of Henry Walker, deceased;

An act to establish a turnpike road in the western district; and,

An act for the benefit of E. W. Boyte.

The speaker signed said enrolled bills.

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker,

A resolution laid upon the table on yesterday appointing Martin St. John a justice of the peace for Warren county, was read and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Frey laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That Washington Lowe, James Sprouse, John Hunley, and Joseph Johnson, be, and they are hereby appointed justices of the peace for the county of Robertson

Mr. Gray laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That Frederick Taylor, John Glasscock, George M'Wherter, and John Hutchison, be, and they are hereby appointed justices of the peace for the county of Obion.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The said resolutions were then read, and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

On motion of Mr. Greene, of R.

The senate took up a bill for the benefit of Martha Childress, widow of Thomas C. Childress, deceased, together with an amendment offered by Mr.

Greene, of R. in lieu of the whole bill, both of which had been laid upon the table.

The said amendment was read, and adopted.

Mr. Lowry offered an amendment to said bill, making the same provision for Polly Smith, widow of Jno. N. Smith, deceased, as is provided for Martha Childress in the original bill, which was read, and adopted.

The said bill was then passed a second time.

The senate took up on its third reading a bill more effectually to provide for holding circuit courts in this State.

Mr. Rucker, Mr. Howard, and Mr. Green, of F. severally offered amendments to said bill, which were accepted, and after some time spent in the consideration thereof,

On motion of Mr. Green, of F.

Ordered, That said bill be laid upon the table for further consideration.

Mr. Garrett introduced

A bill to compel jailors to do their duty; and,

A bill directing the manner of excusing captains' companies from attending regimental and battalion musters.

Mr. Lowry introduced

A bill for the relief of Lewis Ross and John Walker, Jr.; and,

A bill to repeal an act, passed Oct. 18, 1825, entitled "an act to incorporate Forest Hill academy, in the county of M'Minn,"

Which bills were severally read a first time, and passed.

A bill organising a company of militia in the county of Anderson;

A bill to authorise Isaac Miller and Lewis Miller, to build a mill in the county of Anderson;

A bill for the relief of Jno. C. Straughan;

A bill to repeal the second section of [an] act for the relief of Noah Parker;

A bill for the relief of Lewis Harris;

A bill for the benefit of Thomas Norton;

A bill appointing additional commissioners for the turnpike roads therein named;

A bill to alter the name of Sterling Baker to that of Thomas Crutcher Baker;

A bill to authorise the judge holding the circuit court of Rutherford county, to entertain jurisdiction of the petition of Sena Grubbs for a divorce from her husband Thomas Grubbs;

A bill to promote the improvements of lots in the town of Pulaski, and for other purposes;

A bill for the benefit of George Brown;

A bill to legalize the official acts of Anthony Wayne Pope Ursery, a justice of the peace for the county of Hardin;

A bill to establish a town in the county of Marion;

A bill to authorise the county court of Davidson, to enlarge certain roads;

A bill to alter the name, and legitimate the persons therein named;

A bill to incorporate the town of Waynesboro', in the county of Wayne;

A bill for the relief of Grigsby Coclough; and,

A bill to revive, continue and amend an act of the General Assembly, passed 1826, entitled "an act to authorise the court of pleas and quarter sessions of Anderson county to build a house for the accommodation of the poor, and for other purposes,

Were severally read a second time, and passed.

A bill authorising a lottery for improving the navigation of Hatchie river; and,

A bill to authorise Wm. Smith, of M'Minn county, to hawk and peddle,

Were both read a third, and last time, passed, and ordered to be enrolled.

A bill more amply to provide for the poor,

Was read a second time,
 And on the question,
 Shall the said bill pass?
 It was determined in the negative;
 There being

AYES— 9.
 NOES— 9.

The ayes and noes being required,
 Those who voted in the affirmative, are;
 Mr. Garrett, Gray, Greene, of R. Huntsman,
 Lowry, Lytle, Reynolds, Rucker, and Walker.—9.
 Those who voted in the negative, are;
 Mr. Speaker Hall, Bradford. Brown, Cain, Frey,
 Green, of F. Howard, Smith, and Williams.—9.

And so the said bill was rejected, for according
 to a rule of the senate, where there is an equal di-
 vision of the vote, the question is lost.

A bill to authorise a lottery to build a bridge
 across Smith's Fork, near Lancaster, and for other
 purposes,

Was read a third and last time,
 And on the question,
 Shall the said bill pass?
 It was determined in the affirmative;
 There being

AYES—13.
 NOES— 2.

The ayes and noes being required;
 Those who voted in the affirmative, are;
 Mr. Speaker Hall, Bradford, Cain, Frey, Gray,
 Greene, of R. Lowry, Huntsman, Lytle, Reynolds,
 Walker, Williams and Rucker—13.

Those who voted in the negative, are;
 Mr. Green, of F. and Howard—2.

And so the said bill passed, and was ordered to
 be enrolled.

Mr. Howard withdrew for amendment,
 A bill to repeal an act, entitled "an act to
 incorporate the Hiwassee canal company.
 And then the senate adjourned.

MONDAY, NOVEMBER 12th, 1827.

Mr. Huntsman presented a memorial of John F. Brown, praying that a certificate land warrant be issued to him and others in lieu of a grant issued by the state of North Carolina to Archibald Butts;

Ordered, That said memorial be referred to the committee on land claims.

Mr. Huntsman, also, presented a return of the clerk of the circuit court of Tipton county, of the amount of law tax collected up to 1st Oct. last;

Ordered, That said return be referred to the committee of finance.

Mr. Huntsman, also, presented a communication from A. B. Bradford, one of the attorneys general of the state, proposing an amendment to the criminal law;

Ordered, That said communication be referred to the judiciary committee.

Mr. Huntsman made the following report;

The joint select committee appointed to receive the propositions of the Nashville bank for the payment and redemption of their notes, which are now in the vaults of the bank of the state of Tennessee, of said Nashville bank; beg leave to report

That the committee have waited upon such part of the directory of the Nashville bank, as had been designated for that purpose, in order to make an amicable arrangement respecting the debt now owing the state, and which may hereafter be owing in consequence of the existing laws, requiring the agencies of the new bank to receive, and authorising the Hiwassee debtors to pay their instalments, &c. in the Nashville bank paper.

Your committee beg leave to represent, that in the discussion with the directory on the various topics incidentally arising out of this subject, they had to guard the interest of the state, as a matter of primary importance, on the one hand, whilst on

the other, the interest of that portion of the people, who hold the Nashville bank paper, claimed much of their consideration.

Your committee conceived it to be an indispensable part of their duty, after securing the state, against any possible loss that may be sustained from the amount of Nashville paper now on hand, and what may be received under existing laws, to leave in possession of the Nashville bank, the means to enable her to meet all her engagements, and to redeem the balance of her notes in circulation.

From an examination into her situation and condition your committee feel no hesitation in saying that they believe said bank has the most ample means in her power to fulfil the engagements she proposes to make with the state, and also redeem the paper she has in circulation, as well as to meet her other engagements at no distant period.

The said bank submitted, as her final, and most favoured proposition to your committee, that she would pay up the whole amount due to the state at once, in notes of undoubted and unquestionable solvency, upon various persons, who are debtors to said bank and her branches; and which might be selected by your committee or any of the members of the legislature who are acquainted with said debtors.

Secondly. That the propositions submitted in their expose of the 24th Sept. 1827 to this General Assembly, and which had been printed for the use of the members, should form the basis on which an adjustment should take place, and which is in the following words;

The Nashville bank is willing, and now proposes to give a lien upon the whole of the real estate belonging to said bank, and, also \$400,000 of unquestionable notes due the bank as collateral security for the debt which the institution may

owe the state and will pay interest upon said debt until discharged under the following conditions;

"1st. Said notes shall be renewable every six months at least, the debtors paying interest.

"2nd. Said notes are not to be sued for until said bank shall fail to pay according to contract, nor shall such real estate be sold under deed of trust until such failure.

"3rd. The trustee to be appointed, shall permit the bank to sell any part of the real estate at private sale and apply the proceeds to the extinguishment of said debt.

"4th. The debt to be paid one half in two years, and the balance in [one] year thereafter."

Your committee after the most mature consideration, concluded that it would not be expedient to entangle the state in the collection of any part of the debts due the Nashville bank, or interfere in any way between said bank and her debtors, as the state might possibly, thereby, be involved in difficulties and perhaps law suits, which upon every principle of policy should be avoided—therefore, your committee feel it to be their duty, not to accede to the first proposition. The next in order, was the proposition contained in their expose of the 24th of Sept. as before recited.

In order to enable your committee to act with all the lights and information which was in their power and which the importance of the subject demanded,

They requested authentic information of the Nashville bank in regard to the amount of notes yet in circulation, issued from said bank, comprehending such parts of them as may be in the possession of the new bank and her agencies, as well as those floating in society, and those which may have been lost and destroyed by casualty in the hands of the holders; to which enquiry the following answer was received.

"NASHVILLE BANK Nov. 6th, 1827.

"There is in circulation on this day	
the sum of	\$178,839
"On which amount, the bank is	
paying interest on	\$12,000
"There is on hand at Rogersville	
about	\$8 000 20,000
"Leaving in actual circulation	\$158,000.

W. TANNEHILL, *Cash.*"

For the purpose of acting with greater circumspection and caution, and to enable them to make a more accurate calculation, respecting the amount of said notes yet in the hands of the people; your committee requested of the president and cashier of the Bank of the State, to be informed, what amount of their notes are in said bank, and in answer to which, they have received the following statement.

"Notes on the Nashville bank in the possession of the Bank of the State \$65,910"

Which deducted from the amount in circulation would leave about the sum of \$92,929 yet in the hands of the people.

By the foregoing calculation which is believed to be correct, it will be seen with satisfaction, that the situation of the Nashville bank, is in a much better condition than was expected. The value of real estate proposed to be given in trust to the state cannot now be estimated at more than fifty thousand dollars, notwithstanding the original cost was \$89,993 39, which taken together with two hundred and fifty thousand dollars in notes of unquestionable solvency, will form a complete and ample security to the state, not only for the amount now owing, but any additional sum which may be collected by virtue of any law in force, if the

whole amount in circulation should fall in the hands of the state.

They believe it to be good policy on [the] part of the state to leave the balance of the notes within the controul and disposition of said bank, in order to enable her, with the greater facility to meet any engagement or redeem any of her paper which may be outstanding.

Your committee believe that within twelve months the small amount of Nashville paper, remaining in circulation will be not much below par.

This conclusion is deduced from the following circumstances.—

1st. A portion of said paper will be drawn into the new bank, through the medium of the agencies, before any law can prudently go into operation to disconnect said paper from the new bank.

2nd. It has been the policy and practice of the Nashville bank since her failure to call in by reasonable discounts from her creditors, and interest from the stockholders some of her money, and she is still pursuing that policy.

3rd. The debtors to the state for the Hiwassee lands have the privilege of paying in that kind of currency, which creates a demand for said paper, from all three of the sources before mentioned, and which will daily diminish the quantity and increase its value.

And, altho' the state may lay out of the use of the capital for some time, the most confident belief is entertained that no ultimate loss will be sustained by reason of any of said paper which is now on hand or which may hereafter be received.

Your committee have therefore agreed to the following stipulations and conditions, subject nevertheless, to be ratified by the General Assembly.

1st. The state shall take a lien on all the real

property, exhibited in the expose of said bank of the 24th Sept by deed of trust. Also, a lien on \$250,000 of good and solvent notes, to be selected by the state's agent, and which may be renewable under the directions of the principal bank as proposed.

2nd. Said bank shall receive all her paper now owned by the state and give a certificate bearing interest therefor; which shall be lodged in the Bank of the State of Tennessee, and recorded in their books, and said bank paper so delivered up shall be burnt in presence of the committee.

3rd. At the end of each ninety days, said bank shall receive all her paper which may come into the hands of the new bank, and give a certificate bearing interest therefor, to the president and directors thereof.

4th. The bank of the state may loan upon said certificate or certificates to any debtor or debtors of the Nashville bank, who will give undoubted security according to the rules and regulations and forms, prescribed by said bank, which shall be paid in, as near as may be, by regular semi-annual payments or discounts with interest, &c. in such a way that the whole debt shall be paid within three years after the passage of this act.

And upon giving their notes as aforesaid, the cashier of the bank of the state shall pass said amount to the credit of the Nashville bank on his own books, and also give a check to said Nashville bank specifying that so much has been passed to her credit.

That said certificate or certificates taken as aforesaid shall embrace the principles proposed by said bank in her expose of the 24th Sept. so far as respects the time of payment.

That the president and cashier of the bank of the state of Tennessee and the Treasurer of West Tennessee together with the secretary of state

and their successors in office, be appointed trustees to carry the foregoing provisions into effect so far as respects taking the liens.

All which is respectfully submitted to the consideration of both houses, and their concurrence recommended.

A. HUNTSMAN, Ch'n.

The said report was read at the clerk's table.

On motion of Mr. Brown,

Ordered, That sixty copies of said report be printed for the use of the members of the General Assembly.

Mr. Greene, of Roane, laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That William Foster, of the county of Marion, Robert Love and Robert Marney, of the county of Roane, be, and they are hereby appointed justices of the peace for their respective counties.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The said resolution was then read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Garrett introduced

A bill prescribing certain duties to sheriffs and other officers;

A bill for the relief of Abraham Hunter;

A bill more effectually to compel public ferry-men to do their duty; and,

A bill requiring certain duties to be performed by the trustees of the different county academies and for other purposes.

Mr. Brown introduced

A bill for the relief of the creditors of Patrick O'Callahan, deceased; and,

Mr. Lowry introduced

A bill for the relief of the sheriffs in the Hiwassee district;

Which bills were severally read a first time, and passed.

On motion of Mr. Bradford,

A bill more amply to provide for the poor, which was rejected on Friday last, was re-considered, read a second time, amended and passed;

A bill to reduce the state tax on lands and white polls, which had been made the order of this day, was

Ordered, To lie upon the table.

A message from the house of Representatives, by Mr. Campbell their clerk.

Mr. SPEAKER,

The house of representatives concur in your resolutions appointing justices of the peace for the counties of Robertson, Gibson and Obion; also, that the select committees on education and common schools, be, and act as a joint committee.

And then he withdrew.

On motion of Mr. Bradford,

The committee on education and common schools, was discharged from the further consideration of

A bill appropriating a fund for the support of common schools in the state of Tennessee; and said bill was referred to a committee of the whole house.

Received from the house of representatives,

A bill to establish common schools;

Ordered, That said bill be referred to a committee of the whole house.

The senate, then, resolved itself into a committee of the whole, on

A bill appropriating a fund for the support of common schools in the state of Tennessee, and

A bill to establish common schools, and after

some time spent in the consideration thereof, the committee arose, and Mr. Frey reported, that the committee had considered said bills, and directed him to report the first mentioned of said bills with the following amendments—insert after the words “new state bank,” in the third line of the first section the words “except the one half of the principal sum already received, from the sales of the Hiwassee lands;” and also, strike out the remaining sections of said bill and to report the second of said bills without amendment, and recommend that it be rejected.

The report of the committee of the whole on the bill appropriating a fund for the support of common schools, with the proposed amendments, were read and concurred in.

The said bill was then read a first time and passed.

The report of the committee of the whole on the bill to establish common schools, was then read, and

On motion of Mr. Bradford,

Ordered, That said report and bill lie upon the table.

And then the senate adjourned.

TUESDAY, NOVEMBER 13th, 1827.

Mr. Garrett presented a petition of Armstead Garden, praying the passage of a law directing the State Bank to loan him one hundred dollars, for the term of eight or ten years;

Ordered, That said petition be referred to the committee of propositions.

Mr. Cain presented a petition of Thomas Bradley, late sheriff of Wilson county, stating that he lost or mislaid jury tickets, county orders and wit-

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ness tickets, amounting to six or seven hundred dollars, and asking the passage of a law granting him such relief as the justice of his case requires;

Ordered, That said petition be referred to the committee of propositions and grievances.

A bill prescribing the duties of the president and directors of the bank of the state, which had been made the order of this day, was taken up and read a second time.

Mr. Garrett moved to strike out the first section of said bill, which required the president of said bank to visit in person, once in two years, each of the agencies in West Tennessee, and inspect the condition of said agency, in relation to the manner in which the monies are loaned and how secured, and required a like duty to be performed by the president of the branch bank at Knoxville in relation to the counties in East Tennessee, and make report thereof to the General Assembly at each session thereof.

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—13.

NOES— 6.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Cain, Frey, Gammon, Garrett, Gray, Green, of R. Howard, Lowry, Reynolds, Walker, and Williams.—13.

Those who voted in the negative, are;

Mr. Bradford, Green, of F. Huntsman, Lytle, Rucker and Smith—6.

And so the said section was stricken out.

Mr. Green, of F. offered an amendatory section to said bill, which provided that after the first day of January next, the salary of the president of said bank, should be seven hundred and fifty dollars,

and the salary of the president of the branch bank at Knoxville should be four hundred dollars;

And on the question to adopt said section,

It was determined in the affirmative;

There being . . .

AYES—13.

NOES— 6.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Brown, Froy, Gammon, Garrett, Gray, Green, of R., Green, of F. Huntsman, Rucker, Smith and Williams—13.

Those who voted in the negative, are;

Mr. Cain, Howard, Lowry, Lytle, Reynolds and Walker—6.

And so the said section was adopted.

Mr. Reynolds moved to strike out the third section of said bill, which provided that the salaries of the county agents should be fifty dollars in the counties where ten thousand dollars or less is loaned and the counties where more than that sum is loaned, one half of one per cent, so as no salary shall exceed one hundred dollars;

And the question thereon was taken,

And it passed in the affirmative.

And so the said section was stricken out.

Mr. Garrett offered an amendatory section to said bill as follows;

That hereafter the renewals of notes at the different agencies of the new bank, shall be every six months instead of three months as heretofore; and that the power of attorney taken at each agency at the first renewal, after the first day of January next, shall be good and valid, whilst the same securities continue to the note under discount.

Mr. Bradford moved a division of the question which was agreed to.

The question was then taken, upon the first

branch of said section, providing for semi-annual instead of quarterly renewals,

And determined in the negative;

There being

AYES—7.

NOES—10.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford, Gammon, Garrett, Greene, of R., Lowry, Reynolds, and Walker—7.

Those who voted in the negative, are;

Mr. Speaker Hall, Cain, Frey, Gray, Howard, Huntsman, Lytle, Rucker, Smith and Williams.—10.

And so that branch of said section was not adopted.

The question on the remaining branch of said section was taken,

And it was determined in the negative.

Mr. Garrett, then offered the following section as an amendment to said bill,

“That after the first day of January next it shall not be lawful for the bank of the state of Tennessee, to make more than one call in twelve months from their debtors, at the different agencies, which call shall be at the last renewal before the first day of January, and shall not exceed 20 per cent.”

And on the question to adopt said section,

It was determined in the negative.

There being

AYES—6.

NOES—14.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Greene, of R., Garrett and Lowry—3.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Cain, Frey, Gammon, Gray, Howard, Huntsman, Lytle Reynolds, Rucker, Smith, Walker and Williams.—14.

And so said section was not adopted.

Mr. Bradford offered an amendment to said bill, providing that the president and directors of said bank should appoint three directors in each county to attend at the agency on discount days, and pass upon all notes offered for discount;

And the question thereon was taken,

And determined in the negative.

Mr. Rucker moved to amend said bill by striking out "twelve and one half cents," as the price allowed to agents for furnishing powers of attorney and bonds at each renewal, and insert in lieu thereof "six and one fourth cents,"

And the question thereon was taken,

And it passed in the affirmative;

The question was then taken,

Shall the said bill as amended, pass a second time,

And determined in the affirmative.

There being

AYES—10:

NOES— 7.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Frey, Gammon, Garrett, Gray, Greene, of R. Huntsman, Rucker and Williams—10.

Those who voted in the negative, are;

Mr. Cain, Howard, Lowry, Lytle, Reynolds, Smith and Walker—7.

And so the said bill passed.

A bill for the purpose of funding the college and academy debt, which had been made the order of this day,

Was taken up, read a second time and passed.

Mr. Williams introduced

A bill providing for the more speedy collection of demands against the banks,

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Which bill was read a first time, and ordered to lie upon the table.

Received from the house of representatives,

A bill to amend an act, passed 26th Oct. 1821, entitled "an act to provide a method to help and speed poor persons in obtaining their just rights;

A bill to provide for locating certain certificate land warrants therein specified;

A bill authorising the adjudication of certificate No. 4,941 issued by the register of West Tennessee;

A bill to regulate the sittings of the Jackson county courts;

A bill to change the time of holding battalion musters in the 23rd regiment;

A bill making provision for suits to be brought against the State;

A bill establishing a precinct election in the county of Grainger;

A bill for the relief of the Bank of the State;

A bill to incorporate the academy therein named;

A bill for the benefit of the Carroll guards;

A bill for the relief of John Lane, a citizen of Lincoln county;

A bill to appoint commissioners for the town of Sparta;

A bill for the relief of Thomas Simpson, of Overton county;

A bill to authorise John Kelly to build a dam across Sequatchee river;

A bill to appoint additional trustees for the academy therein named;

A bill for the relief of the citizens of Smith and Sumner counties;

A bill to define the jurisdiction of justices of the peace in certain cases;

A bill to repeal the act of 1809 chapter 97, altering the county line of Dickson county;

A bill providing for the establishment of a board of internal improvement, and the creation of a fund for that purpose;

A bill to compel owners of mills to cut down the standing and decaying timber in their mill ponds;

A bill for the relief Jno. K. Burk;

A bill specifying when and how securities in certain cases may be made liable;

A bill to appoint a commissioner on the part of the State to purchase of the heirs of the widow of Fallingwater M'Intosh, the reservation claimed by them in the Hiwassee district;

A bill for the benefit of Benjamin Gyger;

A bill to authorise W. W. Lea to build a mill dam across Forked Deer river;

A bill for the improvement of the navigation of Tennessee river; and,

A bill authorising the erection of a volunteer company in the town of M'Minnville,

Which bills were severally read a first time, and passed.

A bill to repeal part of the second section of an act, entitled "an act to authorise Jesse Savage, and Benjamin Cannon, to open and keep in repair a turnpike road," passed Dec. 8, 1826,

Was taken up on its third reading.

Mr. Green, of F. moved to amend said bill, by striking out the second section, which authorises said Savage and Cannon to receive the same rates of toll as is allowed to Terry, Hoodenpile and Rayney, in an act passed Nov. 19th, 181;

And the question thereon was taken,

And it passed in the affirmative.

Mr. Green, of F then offered a proviso to said bill, which required the said Savage and Cannon to construct their road through the plantation of Gideon Boulden, at a convenient distance from his dwelling house;

And the question thereon was taken,

And it passed in the affirmative.

The said bill as amended, was then read a third time, and passed.

Mr. Huntsman laid upon the table the following resolution:—

WHEREAS it appears that one more justice of the peace has been appointed for the county of Madison than the constitution authorises—

THEFORE,

Resolved, That the Secretary of State commission five only, leaving out the name of James H. Rogers, there being two in said company already.

The rule of the senate, requiring resolutions to lie one day upon the table was suspended.

The said resolution was then read, and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

And then the senate adjourned.



WEDNESDAY, NOVEMBER 14th, 1827.

Mr. Hall presented a petition of William Dun, praying to be divorced from his wife Polly;

Ordered, That said petition be referred to the committee on divorces.

Mr. M'Means presented a petition of sundry citizens of Humphries county, praying the passage of a law authorising the county court of said county to divide the same into two tax districts, and to authorise the citizens of each of said districts to elect a tax collector, who shall collect the state and county tax in their respective districts;

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Walker, from the committee on enrolled

bills, reported that they have examined and found to be truly enrolled,

An act appointing additional commissioners for the town of Philadelphia, in the county of Monroe;

An act to establish a female academy in the town of Fayetteville;

An act to authorise a lottery to build a bridge across Smith's Fork, near Lancaster, and for other purposes;

An act authorising the clerk of the county court of Bledsoe county to keep his office at his own house;

An act to amend an act, entitled "an act concerning the trustees of Overton county," passed Dec. 5, 1825;

An act for the relief of James W. Smith;

An act to authorise Wm. Smith, of M'Minn county, to hawk and peddle without license;

An act to repeal part of the third section of an act for the benefit of Frederick A. Ross, passed 31st Dec. 1826;

An act for the benefit of Archibald M'Kissick;

An act to incorporate the towns of Bolivar and Purdy;

An act for the relief of such persons as may wish to have their names altered;

An act for the appointment of additional trustees for the University of Nashville;

An act to incorporate the inhabitants of the town of Dresden, in the county of Weakly; and,

An act to authorise a lottery for improving the navigation of Hatchie river.

The speaker signed said enrolled bills.

Ordered, That the clerk transmit them to the house of representatives to receive the signature of their speaker.

The senate again took up, and proceeded to the consideration of a bill to extend the provisions of an act, passed at Nashville, 1826, entitled "an act,

to amend an act to dispose of the lands lying between the rivers Hiwassee and Tennessee, and north of Little Tennessee river," passed Nov. 15, 1819; which bill had been under consideration on the 7th inst. and laid upon the table.

The question recurred upon the amendment offered by Mr. Reynolds on the 7th inst.

Mr. Reynolds amended his motion to read "shall be entitled to a discount of thirty-seven and one half per cent. provided they pay the same in par funds;"

And the question thereon was taken,
And determined in the negative;
There being

AYES—4.
NOES—15.

The ayes and noes being required;
Those who voted in the affirmative, are;
Mr. Bradford, Frey, Reynolds, and Williams.—

4. Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Cain, Gammon, Garrett, Gray, Greene, of R., Green, of F., Howard, Huntsman, Lowry, Lytle, Rucker, Smith, and Walker.—15.

And so the said amendment was not adopted.

Mr. Bradford then moved to amend said bill, by inserting after the word "debt" the words "and interest;"

And the question thereon was taken,
And it passed in the affirmative;
And so the said words were inserted.

Mr. Brown then moved further to amend said bill, by inserting after the words "and interest" the words "in par funds;"

And the question thereon was taken,
And determined in the affirmative;
There being

AYES—10.
NOES—8.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford, Brown, Cain, Frey, Garrett, Huntsman, Reynolds, Rucker, Smith, and Williams.—10.

Those who voted in the negative, are;

Mr. Speaker Hall, Gammon, Greene, of R. Green, of F. Howard, Lowry, Lytle, and Walker.—8.

And so the said words were inserted.

The said bill, as amended, was then read a second time,

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—16.

NOES— 3.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Cain, Frey, Gammon, Garrett, Gray, Greene, of R. Green, of F. Howard, Huntsman, Lowry, Lytle, Rucker, Walker, and Williams.—16.

Those who voted in the negative, are.

Mr. Bradford, Reynolds, and Smith.—3.

And so the said bill passed.

Mr. Huntsman laid upon the table the following resolution:—

Resolved, That the select standing committees in the two branches of the General Assembly on captains' companies and justices of the peace, be and act as a joint committee.

Mr. Williams laid upon the table the following resolution:—

RESOLVED, by the General Assesmbly of the State of Tennessee That the president and directors of the Bank of the State of Tennessee, report to the legislature the amount of compensation allowed to each bank agent in the several counties of this

State; also, the amount of money loaned in each county.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The said resolutions were then read, and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A message from the house of representatives, by Mr. Campbell, their clerk.

Mr. SPEAKER,

The house of representatives concur in your resolution appointing Wm. Foster, a justice of the peace for the county of Marion.

They have adopted a resolution appointing the following justices of the peace, in the following counties, to wit:—

For Dickson county, Howell Parrish, Archibald Pullum, Kendrick Myatt, and George Hightower;

For Carroll county, Samuel Williamson and Edmund W. Gee;

For Maury county, James Forgy and George Nixon;

For Haywood county, Jesse L. Kirk;

For Gibson county, Michael Israel and Bently B. Epperson;

For Stewart county, Wm. O. Gwinn;

For Campbell county, Boulding Baker, John Craig, Benjamin Bratcher, Abraham Hayter, and John L. Smith;

In which they ask your concurrence.

I am directed to deliver to the senate the non-acceptance of Wm. Carroll as a director of the Bank of the State of Tennessee.

And then he withdrew.

The non-acceptance of Wm. Carroll as a director of the Bank of the State, was read, and accepted.

Mr. Rucker introduced

A bill regulating the state tax on suits at law and in equity in the courts of this state; and,

Mr. Howard introduced

A bill for the relief [of] Wm. Houston and Jacob Baker,

Which bills were both read a first time, and passed.

Mr. Reynolds introduced

A bill to continue in force the provisions of an act, passed Dec. 5, 1825.

Mr. Smith introduced

A bill for the relief of John Jett and others; and,

Mr. M'Means introduced

A bill for the benefit of Dover academy;

Ordered, That said bills lie upon the table.

Mr. Howard returned, without amendment,

A bill to repeal an act, entitled "an act to incorporate the Hiwassee canal company;

Ordered, That said bill lie upon the table.

Mr Reynolds laid upon the table the following resolution:—

Resolved, That the senate meet the house of representatives in their hall on to-morrow, at 12 o'clock, for the purpose of electing a director for the Bank of the State, to supply the vacancy occasioned by the non-acceptance of Gen. William Carroll.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The said resolution was then read, and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A bill to amend an act, entitled "an act to authorise the treasurer of East Tennessee to receive certain monies," passed Nov. 23, 1826,

Was read a second time, and passed.

A bill supplemental to an act, entitled "an act to

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regulate the county courts of Rutherford and other counties," passed 1823;

A bill to establish a town in the county of Marion;

A bill to authorise the circuit court of Davidson county to order the opening of any new street, lane or alley in the town of Nashville;

A bill to authorise the county court of Davidson county to enlarge certain public roads;

A bill to restore Nathan Fannon to the privileges of citizenship; and,

A bill for the relief of Jno. C. Straughan and others,

Were severally read a third, and last time, passed, and ordered to be enrolled.

And then the senate adjourned.

THURSDAY, NOVEMBER 15th, 1827.

Mr. Gray presented a return of the clerk of the circuit court of Gibson county of the amount of law tax collected in said county for the year 1826;

Ordered, That said return be referred to the committee of finance.

The speaker laid before the senate a report of Isaac Taylor and Turner Lane, who were appointed commissioners to examine the situation of the books and documents belonging to the third surveyor's office, by a joint resolution of the legislature.

Ordered, That said report lie upon the table.

A message from the house of representatives, by Mr. Campbell, their clerk.

Mr. SPEAKER,

The house of representatives concur in your resolution to go into the election of a director of the Bank of the State this day.

And then he withdrew.

The speaker and gentlemen of the senate repaired to [the] hall of the house of representatives for the purpose of going into the election set for this day, and were seated within the hall.

The two houses proceeded by joint ballot to said election, and upon collecting and counting out the ballots, the speaker declared that ROBERT C. FOSTER was duly elected a director of the Bank of the State of Tennessee, to fill the vacancy occasioned by the non-acceptance of Gen. William Carroll.

Whereupon, the speaker and gentlemen of the senate returned to their own chamber, and the speaker resumed the chair.

Mr. Smith laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That grant No. 23,331, for five hundred acres, granted by the State of Tennessee to Thos. P. Devereaux, be referred to the commissioner of land claims for adjudication, and if said grant is interfered with by older and better claims to issue to the proper claimant a certificate for such interference: *Provided*, said grant is founded upon a good and valid warrant, and that no other grant has ever issued thereon.

Mr. Garrett laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That John Hurst be, and he is hereby appointed a justice of the peace for the county of Claiborne.

Mr. Bradford laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That William Norvell, sen. be, and he is hereby appointed a justice of the peace for Bedford county.

According to a rule of the senate, said resolutions lie one day upon the table.

Mr. Howard introduced

A bill for the relief of Isaac Allen, of Cocke county; and,

A bill to establish a female academy in the town of Greenville.

Mr. Brown introduced

A bill to extend the provisions of an act passed at Murfreesboro', August 15, 1822, ch. 12; and,

A bill to provide for the redemption of mortgaged property, when sold by a decree fore-closing such mortgage.

Mr. Walker introduced

A bill for the relief of Spencer Tinsley and others;

Mr. Green, of F. introduced

A bill for the relief of the heirs of Tarb Mosely, deceased.

Mr. Huntsman introduced

A bill to aid and assist in creating a school fund;

Mr. Lowry introduced

A bill for the benefit of John Waugh.

Mr. Gammon introduced

A bill to amend an act, passed 1825, ch. 202, for the relief of Richard Gamble, an idiot of Sullivan county; and,

A bill for the relief of such persons as hold grants from North Carolina and Tennessee.

Mr. Lytle introduced

A bill to amend an act entitled "an act to authorise the county court of Davidson to lay a tax for the purpose of building a court house.

Mr. Rucker introduced

A bill for the relief of John Porter, deceased,

Which bills were severally read a first time, and passed.

Mr. M'Means introduced

A bill to authorise a turnpike road over the Tennessee bottom, opposite Reynoldsburg.

Mr. Smith introduced

A bill making compensation to the persons therein named.

Mr. Bradford introduced

A bill fixing the compensation allowed the treasurer of East Tennessee for receiving the money arising from the sales of land in the Hiwassee district.

Mr. Huntsman introduced

A bill to regulate the sitting of some of the courts in the western district; and,

A bill prescribing a more easy and safe mode of collecting the revenue by tax sales.

Mr. Garrett introduced

A bill directing the manner of swearing to petitions for writs of certiorari and supersedeas;

A bill to establish an inspection of tobacco in the county of Claiborne;

A bill appointing commissioners for the towns therein named;

A bill appointing trustees to the academies therein named;

A bill to establish a female academy in the county of Claiborne;

A bill to regulate Bean's Station turnpike; and,

A bill giving further time to make surveys upon entries in the different entry taker's offices north and east of the congressional line.

Mr. Gray introduced

A bill making deputy sheriffs liable in the same way that principal sheriffs are liable.

Mr. Gammon introduced

A bill to prevent free persons of color from emigrating into this State; and,

A bill to amend an act, passed 1823, to dispose of the land north and east of the congressional reservation line;

Ordered, That said bills lie upon the table.

Mr. Howard introduced

Y2 SENATE

A bill for the benefit of volunteer companies in the first division of Tennessee militia.

Ordered, That said bill be referred to the military committee.

Received from the house of representatives,

A bill for the relief of the parties in certain suits depending in the supreme court of errors and appeals, held in Knoxville,

Which was read a first time, amended, and passed.

A bill to provide for the payment of the witnesses on the trial of Brigadier General William Stone;

A bill for the relief of Richard R. P. Powell;

A bill for the relief of the heirs of J. Campbell, deceased, and also the heirs of John Harrison, deceased;

A bill for the benefit of Mary Evans,

Were severally read a second time, and passed.

A bill for the relief of Daniel Davis and others; and,

A bill to organise a company of militia in the county of Anderson,

Were both read a third time, and passed.

A bill more amply to provide for the poor;

A bill to amend an act for the relief of Joel H. Dyer, executor of Robert H. Dyer, deceased;

A bill for the relief of Wm. Carter, sheriff of Carter county; and,

A bill for the relief Wm. B. Carter,

Were severally read a third, and last time, passed, and ordered to be enrolled.

Mr. Walker who had withdrawn, for amendment,

A bill making an appropriation of money to defray the expenses of this first session of the seventeenth session of the General Assembly, returned the same with an amendment.

Ordered, That said bill and amendment lie upon the table.

The senate took up and proceeded to consider,
A bill to provide the manner in which costs in criminal cases shall be paid, and for other purposes, which had been engrossed for a third reading.

Mr. Bradford moved to amend said bill by inserting in the first section, after the words "criminal cases," the words "of a capital nature, and all prosecutions under any of the statutes of this state against making or passing counterfeit money;"

Ordered, That said bill and amendments lie upon the table.

A bill authorising the individuals therein named, to raise \$100,000 for the purpose of improving the navigation of Cumberland river,

Was read a third and last time.

Mr. Green, of E. offered an amendatory section which required the commissioners appointed to carry said lottery into effect to give bond and security for the faithful discharge of their duty, and to refund the money to persons who may purchase tickets, if said lottery is not drawn within three years, which was adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

And then the senate adjourned.

FRIDAY, NOVEMBER 16th, 1827.

Mr. Lowry presented a petition of John M^r. Clatchy, stating that he is owner of two quarter sections of land, in the Hiwassee district, and that suit has been instituted against him by A. B. Grubb, an Indian reservee, and was tried at the last circuit court of Knox county, and determined in his favor, and the plaintiff took an appeal to the su-

prerogative court, and praying the passage of a law, directing the Treasurer of East Tennessee to pay to him the cost and expenses incurred in the defence of said suit;

Ordered, That said petition be referred to the committee on Indian reservations.

Mr. Frey, from the committee on claims, to which had been referred a petition of Lewis Ross, praying to be refunded twenty five dollars, paid by him for the entry of a fractional quarter section of land in the Hiwassee district, which is within the reservation of Major John Walker; made a report thereon, accompanied with the following resolution, which was read;

Resolved, That the prayer contained in said petition is unreasonable, and ought not to be granted.

On motion of Mr. Lowry,

Ordered, That said report lie upon the table.

A resolution laid upon the table on yesterday by Mr. Garrett, appointing a justice of the peace for Claiborne county, and a resolution laid upon the table by Mr. Bradford, appointing a justice of the peace for Bedford county,

Were each taken up, read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

On motion of Mr. Smith,

Ordered, That a resolution submitted by him on yesterday, referring grant No. 23,331, to the commissioner for adjudication, be referred to the committee on land claims.

A resolution received from the house of representatives on the 14th inst. appointing justices of the peace for the counties of Dickson, Carroll, Maury, Haywood, Gibson, Stewart and Campbell, was taken up, read and concurred in, except for the county of Maury, which was,

On motion of Mr. Reynolds,

Ordered, To lie upon the table.

On motion of Mr. Garrett,

A resolution laid upon the table on the 10th ult. appointing justices of the peace for Claiborne county, was taken up, read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Garrett laid upon the table the following resolution:—

Resolved, That the message of the governor of the 27th October, 1827, and the accompanying documents, be referred to a select committee, and that they have leave to report by bill or otherwise.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The said resolution was then read, and adopted.

The speaker appointed Mr. Garrett, Mr. Rucker, Mr. Lowry, Mr. Smith and Mr. Reynolds, to be said committee.

Mr. Rucker laid upon the table the following resolution:—

Resolved, That the president and directors of the Nashville bank, be requested to report to this General Assembly, the amount of debt due that institution, from its several branches, with the times the same will fall due, and what amount of the same is now in suit; also, state the aggregate amount now due by individuals over and above the amount of their stock, for debts contracted with the principal bank, and what part of the same is now in suit.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The said resolution was then read and adopted;

Mr. Lowry laid upon the table the following resolution:—

Resolved, That Grant No. 205 for 1,000 acres granted by the state of N. Carolina to Robert King, be referred to the commissioner of land claims for

adjudication; *And provided*, said grant is founded on a good and valid warrant and that no other grant ever issued thereon, that he shall issue a certificate to the rightful owner thereof.

On motion of Mr. Lowry,

Ordered, That said resolution and accompanying document, be referred to the committee on land claims.

A bill directing the president and directors of the bank of the state, to equalize the loans in each county,

Was read a second time.

Mr. Smith offered an amendatory section to said bill providing "that the president and directors of the bank of the state of Tennessee should loan all monies received for entry of lands in the counties where the same shall have been collected;"

And on the question to adopt said section,

It was determined in the negative;

There being

AYES—7.

NOES—11.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Bradford, Gammon, Garrett, Greene, of R. Green, of F. Lowry and Smith—7.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Frey, Gray, Howard, Huntsman, Lytle, Reynolds, Rucker, Walker and Williams—11.

And so the said section was not adopted.

The said bill was then passed.

A bill to encourage and facilitate the commercial intercourse between the states of North Carolina and Tennessee;

A bill for the relief of Samuel J. Wilkins;

A bill for the relief of Comfort Robertson;

A bill to alter the time of holding battalion musters in Henry county;

A bill regulating the courts of pleas and quarter session of the counties of Monroe and Carter;

A bill to repeal the 2nd section of an act, entitled "an act to authorise the justices of the peace in Greene county, to lay and collect a tax for the purpose of finishing the new court house and for other purposes," passed 12th Oct, 1824; and to empower the county court of said county to do certain duties;

A bill for the relief of locaters and others who may own equitable interest in land in this state; and,

A bill requiring the collector of the revenue of Robertson county, to pay over certain monies,

Were severally read a second time, and passed.

Mr. Lowry withdrew for amendment,

A bill for the benefit of the Unicoi turnpike company.

Mr. Smith withdrew for amendment,

A bill for the relief of Zachariah Sullens and William Hitchcock.

On motion of Mr. Reynolds,

A resolution from the house of representatives appointing justices of the peace for Maury county, which was this morning laid upon the table, was taken up and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

The senate took up on its second reading,

A bill for the more effectual administration of justice in criminal cases.

Mr. Huntsman and Mr. Howard, each offered amendments to said bill which were received.

Mr. Rucker, then moved to amend said bill, by striking out the two first sections thereof, and after some time spent in the consideration thereof,

The senate adjourned.

SATURDAY, NOVEMBER 17th, 1827.

Mr. Frey, from the committee on claims, to which had been referred a petition of the commissioners of the town of Tellico, praying to be refunded certain monies, reported

A bill for the relief of the commissioners of the town of Tellico,

Which bill was read a first time and passed.

Mr. Garrett, from the select committee appointed to examine and ascertain the amount of money paid by the state for guns impressed during the late war, reported

That the committee had performed the duty assigned them, and that the sum appropriated and paid under the acts of the General Assembly for guns impressed during the late war amounts to nine hundred and seventy eight dollars and seventy five cents;

Ordered, That said report lie upon the table.

On motion of Mr. Green, of F.

Ordered, That the petition of Lewis Ross, together with the report, made thereon by the committee on claims on yesterday, be re-committed to said committee for further investigation.

The senate resumed the unfinished business of yesterday, the question being on Mr. Rucker's motion to strike out the first and second sections of

A bill for the more effectual administration of justice in criminal cases.

Mr. ——— moved a division of the question which was agreed to.

The question was then taken on striking out the first section,

And determined in the negative;

There being

AYES— 2.

NOES—15.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Green, of F. and Rucker—2.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gammon, Garrett, Gray, Greene, of R. Howard, Lowry, Lytle, Reynolds, Smith, Walker, and Williams.—15

And so the said section was not stricken out,

The question was then taken on striking out the second section,

And determined in the negative.

There being

AYES— 4.

NOES—13.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Garrett, Green, of F. Lowry and Rucker—4.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gammon, Gray, Greene, of R. Howard, Lytle, Reynolds, Smith Walker and Williams—13.

And so the said section was not stricken out.

The said bill was then passed a second time.

A bill to explain certain parts of the statutes against gaming and for other purposes,

Was read a third and last time.

Mr Smith offered the following section in lieu of the whole bill;

"Be it enacted, That hereafter the attorneys general tax fee, in all prosecutions for gaming, shall be five dollars,"

And the question thereon was taken,

And determined in the negative;

There being

AYES— 6.

NOES—11.

The ayes and noes being required;

Those who voted in the affirmative, are;

Z SENATE.

Mr. Green, of F., Howard, Lowry, Reynolds, Smith, and Walker—6.

Those who voted in the negative, are;

Mr Speaker Hall, Bradford, Brown, Frey, Gammon, Garrett, Gray, Greene, of R., Lytle, Rucker, and Williams.—11.

And so the said amendment was not adopted.

A bill to retrench the civil list,

Was read a second time.

Mr. Rucker moved to strike out so much of said bill as reduced the salary of the judges of the supreme court from eighteen hundred dollars to fifteen hundred dollars,

And the question thereon was taken,

And it passed in the affirmative;

Mr. Howard then moved that said bill be laid upon the table till the first day of January next;

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—10.

NOES—7.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Gray, Green, of F Howard, Lowry, Lytle, Reynolds and Walker,—10.

Those who voted in the negative, are;

Mr. Bradford, Gammon, Garrett, Greene, of R. Rucker, Smith, and Williams.—7.

And so the said bill was ordered to lie upon the table till the first day of January next.

Mr. Walker laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That Samuel A. Baker. Aaron B. Wilson, John H. Christian, Joseph Halbrock, Clement Wilkins, Joseph Blackwell, Ephraim M'Caleb, John Scott, Garrett Lane and Thompson Wright,

be, and they are hereby appointed justices of the peace for the county of Hickman.

Mr. Lytle laid upon the table the following resolution:—

RESOLVED, *by the General Assembly of the State of Tennessee* That William Donaldson, John Hall, Reuben Payne, Abraham Demoss, Hays Blackman and Robert Farquaharson, be, and they are hereby appointed justices of the peace for the county of Davidson.

According to a rule of the senate, said resolutions lie one day upon the table.

A message from the house of representatives, by Mr. Campbell, their clerk,

MR. SPEAKER;

The house of representatives have adopted the following resolution, in which they ask your concurrence;

RESOLVED, *by the General Assembly of the state of Tennessee*, That the following persons be, and they are hereby appointed justices of the peace for the following counties, to wit:—

For the county of Shelby, Thomas Powers, James Raulston, Francis M. Weatherhead and Littleton Henderson.

For the county of Williamson, John P. Irion, John Wall and James Brown.

The speaker has signed the following enrolled bills;

An act to provide for the election of electors of president and vice president of the United States;

An act organizing a militia company in the county of Anderson;

An act to divide the 68th regiment of Tennessee militia, and for other purposes; and,

An act for the benefit of Daniel Davis and others;

Which I am directed to deliver to the senate to receive the signature of their speaker.

And then he withdrew.

According to a rule of the senate, said resolutions lie one day upon the table.

The speaker signed the enrolled bills received from the house of representatives;

Ordered, That the clerk deposit them in the office of the secretary of state.

Received from the house of representatives,

A bill to increase the jurisdiction of justices of the peace,

Which was read a first time and rejected.

Received from the house of representatives,

A bill for the relief of Peter Lanehan;

A bill to amend the militia law of this state;

A bill for the relief of the people of the third judicial district of the supreme court;

A bill to authorise the laying off a town at Dougherty's office in Carroll county;

A bill appointing a trustee for Dover academy;

A bill to establish quorum courts in Gibson and Carroll counties;

A bill to establish a third battalion in Dyer county;

A bill for the relief of Charles S. M'Crory, late sheriff of Dyer county;

A bill to erect Woodward academy into a college to be denominated Jefferson college;

A bill for the relief of Woodward Roane;

A bill for the relief of Abigail Nettles, of Jackson county;

A bill to amend an act, entitled "an act requiring the clerks and trustees and other officers of the several counties of this state, to perform certain duties, passed Nov. 26th, 1825;"

A bill to repeal an act, entitled "an act to confirm and make good all grants issued by the state of North Carolina, on entries and warrants made west of Brown's line, passed Dec. 9th, 1826;"

A bill prescribing the duty of constables in certain cases;

A bill for the benefit of Wm. Hart, clerk of the circuit court of Smith county;

A bill for the benefit of the clerks of the several courts in Smith county;

A bill to regulate proceedings before justices of the peace;

A bill for the relief of the commissioners of the town of Raleigh, in the county of Shelby;

A bill appointing commissioners to run, mark and establish the lines between the counties of Hawkins and Sullivan;

A bill to authorise Wm. Atkinson and Nathaniel Reagan, to hawk and peddle;

A bill to provide for the regulation of the different Treasurers in the counties of this state;

A bill prescribing the manner in which justices of the peace and other officers shall perform certain duties;

A bill to give jurisdiction to justices of the peace, under the estray laws;

A bill for the benefit of J. Fields;

A bill to authorise the volunteer companies attached to the different regiments composing the fourth brigade to form themselves into a volunteer regiment;

A bill to amend the 4th section of an act, passed Dec. 3rd, 1807, entitled "an act defining the punishment to be inflicted on persons guilty of the crimes and offences therein mentioned;"

A bill altering the time of holding regimental musters in the ——— regiment;

A bill to establish a town to be called Winton, in Maury county;

A bill more effectually to secure the collection of the state and county revenue;

A bill supplemental to an act, entitled an act to establish academies in the counties of Marion and Bledsoe,

A bill to attach Sumner county to the sixth and Rutherford county to the 7th solicitorial district;

A bill to authorise John Stone and James Ellege to open and keep in repair a turnpike road;

A bill to alter the time of holding the chancery court at Paris,

A bill to compel slave holders to work on roads, and for other purposes;

A bill to authorise Thomas Burgess to emancipate his slaves;

A bill for the benefit of Francis Shaw;

A bill to abolish the supreme court of errors and appeals, and to establish a supreme court of conference to be holden by the circuit judges;

A bill to authorise special judges to be appointed in the state of Tennessee;

A bill to authorise the commissioner of land claims to adjudicate, as heretofore have been referred to him by law;

A bill for the benefit of Wm. V. Akin;

A bill giving further time to finish the public building in the town of Athens,

A bill for the relief of the sheriff of Lincoln county;

A bill to extend the provisions of an act, passed at Murfreesboro' August 15th, 1822 chap. 12.

A bill to legalize the proceedings of the commissioners of the town of Dyersburg; and,

A bill to condense and bring into one view the laws governing proceedings on attachments in this state, and to amend the same,

Which bills were severally read a first time, and passed.

A bill to provide for the payment of jurors in the county of Warren;

A bill for the relief of Wm. M'Cann;

A bill for the relief and benefit of David Henry Houser and others;

A bill for the relief of Eli Newland, of Cocke county;

A bill for the benefit of the persons therein named;

A bill for the relief of Wm. Chambers, of Monroe county;

A bill for the relief of George Gordon;

A bill authorising the judge holding the Rutherford circuit court to entertain jurisdiction of the petition of Sena Grubbs, filed for a divorce from her husband Thomas Grubbs;

A bill to repeal part of an act incorporating the town of Trenton; and also, to legalise the acts of the mayor and aldermen of said town;

A bill for the benefit of Wm. Price;

A bill for the relief of James Williams, former sheriff of Wilson county; and Alfred Hunter, former sheriff of Greene county; and,

A bill for the benefit of Maclin Cross,

Were severally read a third, and last time, passed, and ordered to be enrolled.

Mr. Smith who had withdrawn

A bill for the relief of Zachariah Sullens and William Hitchcock, returned the same with an amendment in lieu of the whole bill, which was received by the senate.

The said bill, as amended, was then read a second time, and passed.

Mr. Howard withdrew, for amendment,

A bill to alter the times of holding county drills in the counties therein named.

And then the senate adjourned.

MONDAY, NOVEMBER 19th, 1827.

Mr. Walker presented a petition of Isaac Dunnigan, of Carroll county; also, a petition of L. v. Shelton, of Perry county, each praying the pas-

sage of an act] to be allowed to hawk and peddle without the payment of a tax therefor.

Ordered, That said petitions be referred to the committee of propositions and grievances.

A resolution laid upon the table on Saturday, by Mr. Lytle, appointing justices of the peace for Davidson county; also, a resolution laid upon the table by Mr. Walker, appointing justices of the peace for Hickman county,

Were each taken up, read, and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A resolution received from the house of representatives on Saturday, appointing justices of the peace for the counties of Shelby and Williamson, was taken up, read, and concurred in.

Ordered, That the clerk acquaint the house of representatives therewith.

A message from the house of representatives, by Mr. Campbell, their clerk.

Mr. SPEAKER,

The house of representatives have adopted the following preamble and resolution, in which they ask your concurrence:—

WHEREAS it is believed, by many learned in the [law,] that an error was committed in locating of the college and academy land, in this State, to the manifest injury of the institutions, and greatly to the oppression of the settlers who had jeopardised their lives and property to secure homes for their families—THEREFORE,

Resolved, That the senate meet the house of representatives in their hall on Tuesday next, in committee of the whole, on the bill to fund the college and academy debt, to the end that the subject may be discussed.

And then he withdrew.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended

The question was taken on concurring in said resolution,

And determined in the negative;

There being

AYES— 6.

NOES—11

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Garrett, Gray, Lowry, Lytle, Greene, of R., and Rucker.—6.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gammon, Green, of F., Howard, Reynolds, Smith, Walker, and Williams.—11.

And so said resolution was not concurred in.

Ordered, That the clerk acquaint the house of representatives therewith.

The speaker laid before the senate the following report of the Nashville Bank, which was read at the clerk's table.

"To the General Assembly of the State of Tennessee:—

"In conformity with the resolution of the honorable senate of the State of Tennessee, the following statement is respectfully submitted.

BOYD M'NAIRY,
President Nashville Bank."

"There is due at the principal bank at Nashville, over and above stock,

\$75,974 92

Of this amount there will be lost, in bad debts, about

40,000

Living of good debts,
over and above st'k
at Nashville, \$35,974 92

There is due at the
br.b'nk at Winches-
ter, by the stock-
holders, between
6 h March and 6th
May, 1828, 18,758

Due at Winchester
on real transaction
notes, ab't the same
time, 16,800

Due at Winchester
between 6th March
and 6th May, 1829, 18,758

Due on real transac-
tions ab't the same
time, 3,189

Due in the course of
the year 1830, 5,050

In suit at Winches-
ter, and otherwise
unsettled 47,884 32

\$110,439 32

Ded't for bad debts 25,000

Leaving a balance
at Winchester of 85,439 52

There is due at G l-
latm, 1st Ap 1828, 10,000
In suit, 4,516 75

14,516 75

There is due at the
branch bank at
Murfreesboro', be-
tween 10th Feb'ry

& 10th May, 1828, 11,681
 Due at same place
 from 10th Feb'y
 to 10th May, 1829, 11,681
 In suit and other-
 wise unsettled, 31,146

54,508

Ded't for bad debts, 6,000

Leaving a balance
 of

48,508

There is due at Shel-
 byville, 1st April,
 1828,

14,102 34

In suit,

1,901

16,003 34

200,442 58

From which deduct
 am't st'ck unsettled
 at the branches,

20,660

Leaving a balance
 of good notes of

\$179,782 58

Recapitulation of notes in suit, &c.

At Nashville,	\$106,310 66
" Winchester,	47,884 52
" Shelbyville,	1,901 00
" Gallatin,	4,516 75
" Murfreesboro,	31,146 00

\$191,958 95

"The foregoing statement presents the informa-
 tion requested by the resolution of the senate, as
 nearly as the facts can be ascertained without a de-

attached statement from the agents of the bank at the respective branches.

W. TANNEHILL, Cashier."

"Nashville Bank, Nov. 17, 1827."

On motion of Mr. Bradford,

Ordered, That sixty copies of said report be printed for the use of the members of the General Assembly.

A bill to extend the provisions of an act, passed at Nashville 1826, entitled "an act to amend an act to dispose of the lands lying between the rivers Hiwassee and Tennessee, and north of Little Tennessee river," passed Nov. 15, 1819,

Was read a third time.

Mr. Bradford moved to amend said bill, by reinstating the words "and interest in par funds," which were inserted on the second reading in the senate, and was stricken out by the house of representatives.

And the question thereon was taken,

And determined in the negative;

There being

AYES—6.

NOES—11.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Bradford. Frey, Reynolds, Rucker, Smith, and Williams.—6.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Gammon, Garrett, Gray, Greene, of R., Green, of F., Howard, Lowry, Lytle, and Walker.—11.

And so the said words were not re-instated.

The question was then taken,

Shall the said bill pass?

And determined in the affirmative;

There being

AYES—12.

NOES—5.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Gammon, Garrett, Gray, Greene, of R Green, of F. Howard, Lowry, Lytle, Walker and Williams—12.

Those who voted in the negative, are;

Mr. Bradford, Frey, Reynolds, Rucker and Smith—5.

And so the said bill passed.

Mr. Brown, from the committee on enrolled bills, reported that they had examined and found to be truly enrolled,

An act to amend an act, for the relief of Joel H. Dyer, executor of Robert H. Dyer, deceased;

An act for the benefit of William B. Carter;

An act more amply to provide for the poor;

An act supplemental to an act, entitled an act to regulate the county court of Rutherford and other counties, passed at Murfreesboro' Nov. 11th, 1823; and,

An act authorising the county court of Davidson to enlarge certain public roads.

The speaker signed said enrolled bills;

Ordered, That the clerk transmit them to the house of representatives to receive the signature of their speaker.

On motion of Mr. Smith,

A bill making compensation to the persons therein named, and,

A bill for the relief of John Jett and others;

Which had been laid upon the table, were taken up, read a first time and passed.

Received from the house of representatives,

A bill for the relief of renters of school lands in this state;

A bill to define the compensation of the public printers in this state;

A bill for the relief of Jacob Lee and others;

A bill for the relief of persons who had judg-

ments in their favor in Montgomery county the record of which were burned;

A bill establishing a female academy in the town of Jonesboro', in the county of Washington—and,

A bill authorising Columbia Lodge No. 34, to receive title to a piece of ground for a hall;

Which bills were severally read a first time and passed.

A bill to alter the name of Alice Arterbury, to that of Alice Hamilton;

A bill for the relief of David Clark;

A bill for the relief of Snowden Hickman, of Wilson county;

A bill to extend the provisions of an act, entitled "an act for the relief of the citizens who entered lands, ceded to Kentucky under the act of 1823, making provision for entering vacant lands at twelve and one half cents per acre;" and,

A bill for the relief of Wm. Houston and Jacob Baker,

Were severally read a second time, and passed.

A bill to authorise sheriffs to transfer certain entries;

A bill to amend the law of 1826, authorising a volunteer regiment in the 9th brigade of the militia of this state;

A bill prescribing the duty of sheriffs in certain cases; and,

A bill for the relief of Richard R. P. Powell,

Were severally read a third time and passed.

A bill for the benefit of Mary Evans;

A bill to legalize the official acts of Anthony W. P. Ursury, a justice of the peace for Hardin county;

A bill to amend an act, passed Nov. 20th, 1826, to authorise James Rogers to open a turnpike road and,

A bill to repeal an act, entitled "an act prescrib-

ing the manner of listing land for the payment of taxes in certain districts and for other purposes,

Were severally read a third and last time, passed and ordered to be enrolled.

A bill prescribing the manner of administering official oaths,

Was read a second time and rejected.

A bill for the relief of Allen D. Gentry,

Was read a third and last time.

Mr. Green, of F. moved to amend said bill by striking out the original bill, and reinstating the amendment made in the senate on its second reading, which was agreed to by the senate;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

The senate took up on its third reading,

A bill more effectually to prevent champerty and maintainance in certain cases.

Mr. Williams moved to strike out the whole of said bill, except the section reported by the judiciary committee, and after some time spent in the consideration thereof,

On motion of Mr. Green, of F.

Ordered, That said bill lie upon the table for further consideration.

Mr. Lowry who had withdrawn,

A bill for the benefit of the Unicoi turnpike company;

Ordered, That said bill lie upon the table.

Mr. Garrett withdrew for amendment,

A bill to regulate certain proceedings on executions and for other purposes.

A bill to explain some of the statutes against gaming and for other purposes,

Was read a third and last time.

Mr. Walker moved that said bill be laid upon the table till the first day of January next,

And the question thereon was taken,
And determined in the affirmative;
There being

AYES— 9.

NOES— 7.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Brown, Frey, Green, of R. Green, of E. Howard, Lowry, Reynolds, Smith and Walker—9.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Gammon, Garrett, Lytle, Rucker and Williams.—7.

And so the said bill was ordered to lie upon the [table] till the first day of January next.

A message from the house of representatives, by Mr. Campbell, their clerk,

Mr. SPEAKER;

The house of representatives have adopted the following resolution, in which they ask your concurrence;

Resolved, That the senate meet the house of representatives in their hall on the 20th inst. for the purpose of taking into consideration the propriety and expediency of submitting to the good people of this state, the right of voting for or against the call of a convention for the purpose of revising the constitution of the state, at the next regular election.

They concur in your resolution appointing justices of the peace for the counties of Bedford and Claiborne.

And then he withdrew.

The said resolution was read, and ordered to lie upon the table

Mr. Lytle laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee That grant No. 3,033 for 640 acres, granted by the state of North Carolina, to Wm.

Wood, be referred to the commissioner of land claims for adjudication, and if said grant is interfered with by older and better claims then said commissioner issue to the proper claimant a certificate for such interference; *Provided* said grant is founded on a good and valid warrant and that no other grant has ever issued thereon.

Resolved, That so much of a resolution adopted at the last session of the General Assembly as refers grant No. 397 to the commissioner for adjudication, be and the same is hereby revived.

According to a rule of the senate, said resolutions lie one day upon the table.

And then the senate adjourned.

TUESDAY, NOVEMBER 20th, 1827.

Mr. Walker, from the committee on enrolled bills, reported that they had examined and found to be truly enrolled;

An act for the relief and benefit of David Henry Houser and others;

An act to repeal part of an act incorporating the town of Trenton, in the county of Gibson; and also, to legalise the proceedings and acts of the mayor and aldermen of said town;

An act for the relief of James Williams, former sheriff of Wilson county; and Alfred Hunter, late sheriff of Greene county;

An act authorising the judge holding the Rutherford circuit court to entertain jurisdiction of the petition of Sena Grubbs, filed for a divorce from her husband Thomas Grubbs;

An act for the benefit of the persons therein named;

An act to provide for the payment of jurors in Warren county;

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An act for the benefit of Wm. Chambers;

An act for the relief of Eli Newland, of Cocke county;

An act for the relief of Wm. M'Cann;

An act for the benefit of Mary Evans;

An act for the relief of George Gordon;

An act to repeal an act, entitled "an act prescribing the manner of listing lands for the payment of taxes in certain districts, and for other purposes," passed at Murfreesboro' Nov. 17, 1821;

An act to amend an act, passed Nov. 21st, 1826, to authorise James Rogers to open a turnpike road;

An act for the benefit of Wm. Price;

An act to legalize the official acts of Anthony W. P. Ursury, as a justice of the peace for the county of Hardin; and,

An act for the benefit of Maclin Cross,

The speaker signed said enrolled [bills;]

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

A resolution laid upon the table by Mr, Lytle, on yesterday, referring grant 2,033 for adjudication; also reviving so much of a resolution adopted at the last session referring grant 397,

Were taken up, read and referred to the committee on land claims.

A resolution received from the house of representatives on yesterday, proposing that the two houses meet in the representative hall to day for the purpose of taking into consideration the propriety of submitting to the people of this state to vote for or against a call of a convention at the next general election,

Was taken up and read;

And on the question to concur in said resolution,

It was determined in the affirmative;
There being

AYES—12.
NOES— 4.

The ayes and noes being required;
Those who voted in the affirmative, are;
Mr. Speaker Hall, Bradford, Brown, Frey, Gray,
Green, of R., Green, of F. Howard, Lowry, Lytle,
Rucker and Smith.—12.

Those who voted in the negative, are;
Mr. Gammon, Garrett, Walker and Williams—4.
And so the said resolution was concurred in.

Ordered, That the clerk acquaint the house of
representatives therewith.

Mr. Green of F. made a motion to re-consider
A bill to explain certain parts of the statutes
against gaming and for other purposes,
Which was rejected on yesterday,
And the question thereon was taken,
And determined in the affirmative;
There being

AYES—10.
NOES— 5.

The ayes and noes being required;
Those who voted in the affirmative, are;
Mr. Speaker Hall, Bradford, Gammon, Garrett,
Gray, Green, of F. Howard, Lytle, Rucker and
Williams.—10.

Those who voted in the negative, are.
Mr. Brown, Frey, Greene, of R. Lowry, and
Walker.—5.

And so the said bill was re-considered

Mr. Green then made a motion to strike out the
original bill from the enacting clause, and insert in
lieu thereof the following;

“That if any person shall be guilty of dealing
at the game commonly called *faro*, or exhibiting
the game commonly called *thimbles*, or exhibiting
with cards the *grand mother's trick* for money or oth-

er valuable thing, any such person or persons so offending, shall be prosecuted by indictment or presentment, and on conviction shall be punished by fine, not less than twenty five dollars, and imprisoned for a term not less than one month, nor more than one year, shall stand in the pillory two hours, and shall be rendered infamous as persons guilty of grand larceny are infamous—*Provided*, however, that persons playing with any such *faro* dealer, or person exhibiting the game called *thimbles* or *grand mother's trick*, may be proceeded against by indictment or presentment, and on conviction, shall be subject to the same punishment, as other persons guilty of gaming are by the laws now in force subject to;

And the question thereon was taken,

And it passed in the affirmative.

The said bill being on its third and last reading;

Ordered, That the clerk acquaint the house of representatives therewith and ask their concurrence therein.

In conformity with the resolution adopted this day, the speaker and gentlemen of the senate, repaired to the hall of the house of representatives, for the purpose of taking into consideration the propriety of recommending to the good people of this state, at the next general election, to vote for or against a call of a convention, and were invited to seats within the hall.

Whereupon, the two houses resolved themselves into a committee of the whole, Mr. Howard in the chair, when

On motion, it was

Ordered, That the clerks of the two branches of the General Assembly, each keep a journal of the proceedings of this committee, and that the same be printed and appended to their respective journals.

After some time spent in committee, the com-

mittee arose, and Mr. Howard reported that the committee of the whole of both houses had had under consideration, a resolution recommending to the good people of this state to vote for or against a call of a convention at the next general election, and had rejected the same;

Which report was concurred in by both branches of the General Assembly.

And then, the speaker and gentlemen of the senate returned to their own chamber and the speaker resumed the chair.

Mr. Bradford laid upon the table the following resolution:—

WHEREAS, upon the trial of the cause John Sims, chairman, &c. of common schools vs. George Beard and others, in the circuit court of Lincoln county, a recovery was had for a certain tract of land in controversy, against Beard—THEREFORE,

RESOLVED, by the General Assembly of the State of Tennessee, That the legal representatives of said Beard, be authorised to file the grant upon which he claimed title to the land so lost, with the commissioner of land claims for adjudication, and if it should appear that the same was founded on a good and valid warrant, a certificate shall issue for the amount of the land so lost.

Mr. Rucker laid upon the table the following resolution:—

Resolved, That the military committee be instructed, to enquire into the expediency of so amending the militia law, as to do away county drills and report by bill or otherwise.

Mr. Greene, of R. laid upon the table the following resolution:—

Resolved, That the committee on internal improvements, be instructed to enquire into the expediency of making the proprietors of turnpike roads in this state, liable to presentment and indict-

ment for not keeping their respective roads in repair in the same manner that overseers of roads are now liable, and that they report by bill or otherwise.

According to a rule of the senate, said resolutions lie one day upon the table.

On motion of Mr. Frey,

A bill for the benefit of Dover academy; and,

A bill to authorise a turnpike road over the Tennessee bottom opposite Reynoldsburg,

Which had been laid upon the table, were taken up, read a first time and passed.

A bill for the benefit of John Brown,

Was read a second [time]

This bill authorises the branch bank at Knoxville to loan to John Brown three thousand dollars, (provided the situation of the bank will justify the same,) for the purpose of completing the turnpike road across Cumberland mountain.

Mr. Smith offered an amendatory section to said bill requiring the bank of the state to loan to Jesse Lincoln, the same amount and upon the same conditions.

Mr. Green, of F. also, offered an amendatory section, requiring the bank of the state to loan in like manner, five thousand dollars to Henry Beidleman for five years.

Mr. Howard, also offered an amendatory section, requiring the branch bank at Knoxville to loan to Pleasant M. Weir five hundred dollars upon the same conditions; and,

Mr. Garrett, also offered an amendatory section, authorising the branch bank at Knoxville, in like manner, to loan to the commissioners of Beans-Station turnpike road five thousand dollars, to be appropriated to the improvement of said road.

The said amendments were severally read and adopted.

On motion of Mr. Williams,
Ordered, That said bill lie upon the table.
 And then the senate adjourned.

WEDNESDAY, NOVEMBER 21st, 1827.

Mr. Frey, from the committee on claims to which had been re-committed, the report of said committee on the petition of Lewis Ross, reported

A bill for the relief of Lewis Ross,

Which bill was read a first time and passed.

Mr. Frey, from the same committee, to which had been referred

A bill to amend an act, for the relief of Jesse Mayfield, of M'Minn county, reported that the committee had considered said bill, and directed him to report the same without amendment, and recommend that said bill be laid upon the table till the first day of January next.

Mr. Lowry made a motion to non-concur in the report of said committee,

And the question thereon was taken,

And it passed in the affirmative;

Mr. Lowry withdrew said bill for amendment.

Mr. Frey, from the same committee, to which had been referred a petition of James Cowan, reported that the committee had had the said petition under consideration, and directed him to ask to be discharged from the further consideration thereof;

Ordered, That the committee be discharged from the further consideration of said petition.

The senate again proceeded to the consideration of

A bill for the benefit of John Brown, of Roane county, which was under consideration on yesterday.

Mr. Reynolds made a motion to strike out all of said bill except the third section, which section suspended the tax of twenty five dollars imposed on his turnpike road until the meeting of the next General Assembly,

And the question thereon was taken,

And it passed in the affirmative;

The said bill, as amended, passed a second time.

A resolution laid upon the table on yesterday by Mr. Rucker, instructive to the military committee, Was taken up, read and adopted.

A resolution laid upon the table on yesterday by Mr. Greene, of R instructive to the committee on internal improvements,

Was taken up, read and adopted.

A resolution laid upon the table on yesterday by Mr. Bradford, authorising the assignee or legal representatives of George Beard, to file a certain land claim with the commissioner of land claims for adjudication,

Was taken up, read and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A message from the house of Representatives, by Mr. Campbell their clerk.

Mr. SPEAKER,

The house of representatives have concurred in your resolutions, appointing justices of the peace for the counties of Hickman and Davidson.

The speaker of the house of representatives having signed enrolled bills entitled

An act for the relief of Richard R. P. Powell;

An act to extend the provisions of an act, passed at Nashville, 1826, entitled "an act to amend an act, to dispose of the lands lying between the rivers Hiwassee and Tennessee, and north of Little Tennessee river," passed Nov. 15th, 1819;

An act prescribing the duty of sheriffs in certain cases;

An act for the relief of appearance bail;

An act to repeal part of the 2nd section of an act, entitled "an act to authorise Jesse Savage and Benjamin Cannon to open a turnpike road;" and,

An act to provide for the security of creditors in certain cases;

I am directed to deliver them to the senate, to receive the signature of their speaker.

And then he withdrew.

The speaker signed said enrolled bills;

Ordered, That the clerk deposit them in the office of the secretary of state.

Mr. Green, of F. laid upon the table the following resolution:—

Resolved, That the judiciary committee be instructed to enquire into the expediency of providing by law, that persons praying an appeal in the nature of a writ of error, from the county to the circuit courts, shall be compelled to give security to satisfy the judgment of the court in all cases.

Mr. Smith laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the state of Tennessee, That grant No. 439 issued by the state of North Carolina, and grant No. 9,448, issued by the state of Tennessee, be referred to the commissioner of land claims for adjudication and that he issue certificate warrants for so much of said grants as may be taken by older and better titles; *Provided* the same are founded on good and valid warrants.

According to a rule of the senate, said resolutions lie one day upon the table.

On motion of Mr. Bradford,

The senate took up on its second reading,

A bill to repeal the second and third sections of an act, entitled "an act, to prevent the deprecia-

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tion of [the] Nashville bank paper in the hands of the good people of this state," passed Dec. 11th, 1826.

Mr. Brown offered an amendment in lieu of the whole bill, as follows;

"That the first section of said act, shall stand repealed from and after the first day of January next, and the 2nd and 3rd sections thereof from and after the first renewal in each county which may take place from and after the first day of January next.

"*Be it enacted*, That all debts created on account of loans made in Nashville bank paper at the agencies, shall be put upon the same footing and renewed as other debts in said bank, should said debtors propose to do so,"

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—14.

NOES— 2.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gammon, Garrett, Gray, Green, of F. Howard, Lowry, Lytle, Renolds, Smith, and Williams —14.

Those who voted in the negative, are;

Mr. Greene, of R and Rucker—2.

And so the said amendment was adopted.

Mr. Rucker offered an amendment to said bill, repealing the first, second and third sections of said act, to take effect with the principal bank from its passage and at the branch bank and at the agencies within twenty days from its passage or sooner, should they be notified of its passage, and making it the duty of the president and directors of the principal bank forthwith to transmit a copy of this act to the branch bank and the several agencies;

And the question thereon was taken,
And determined in the negative;
There being

AYES— 4.

NOES—12.

The ayes and noes being required,
Those who voted in the affirmative, are;
Mr. Bradford, Lowry, Rucker, and Williams.—4.
Those who voted in the negative, are;
Mr. Speaker Hall, Brown, Frey, Gammon, Garrett, Gray, Greene, of R., Green, of F., Howard, Lytle, Reynolds, and Smith—12.

And so the said amendment was not adopted.

Mr. Reynolds then offered an amendatory section to said bill, as follows;

"Be it enacted, That so much of said act as provides for the re-loaning of the Nashville bank paper, at the principal bank, its branch or agencies, be, and the same is hereby repealed;"

And the question was taken thereon,
And it passed in the affirmative.

And so the said section was adopted..

The said bill as amended, was then read a second time,

And on the question,
Shall the said bill pass?

It was determined in the affirmative;
There being

AYES—11.

NOES— 5.

The ayes and noes being required,
Those who voted in the affirmative, are;
Mr. Speaker Hall, Bradford, Brown, Frey, Gammon, Green, of F., Howard, Reynolds, Rucker, Smith and Williams.—11.

Those who voted in the negative, are;
Mr. Garrett, Gray, Greene, of R., Lowry, and Lytle—5.

And so the said bill passed.

A bill to equalize the tax on merchants license,
Was read a second time, amended and passed.

Mr. Howard who had withdrawn for amendment,

A bill to alter the time of holding county drills,
in the counties therein named; returned the same
with an amendment, which was read and adopted.

The said bill as amended, was then read a first
time and passed.

Mr. Gray withdrew for amendment,

A bill directing the mode of surveying occupant
entries in the western district.

And then the senate adjourned.



THURSDAY, NOVEMBER 22nd, 1827.

Mr. Lytle presented a petition of James Blackemore, stating that heretofore he filed a location and warrant in the 13th surveyor's district, that subsequently, it has been two occupant entries, are claim within said location, and praying to be allowed to re-enter so much of his warrant on other vacant land as may be taken by said occupant entries;

Ordered, That said petition be referred to the committee on land claims.

Mr. Brown, from the committee on enrolled bills, reported that the committee had examined and found to be truly enrolled;

An act authorising the circuit court of Davidson county to order the opening of any new street, lane or alley, in the town of Nashville;

An act for the relief of Wm. Carter, sheriff of Carter county;

An act for the relief of John C. Straughan and others;

An act to restore Nathan Fannon to the rights and privileges of citizenship; and,

An act to establish a town in the county of Marion.

The speaker signed said enrolled bills.

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

Mr. Reynolds, from the military committee, to which had been referred a petition of a militia company of the 72nd regiment, reported

A bill to attach a militia company in the 72nd regiment to the 17th regiment,

Which was read a first time and passed.

Mr. Reynolds, from the same committee, reported

A bill to provide for an equal distribution of the public arms belonging to the state,

Which was read a first time and passed.

Mr. Reynolds, from the same committee, to which had been referred

A bill to amend the law organizing the militia of this state, reported the same with an amendment in lieu of the whole bill from the enacting clause, which amendment, divided the second division into two divisions; the 4th, 9th and 8th brigades to constitute the 2nd division, and the 4th 6th and 10th to constitute the 4th division;

And the question thereon was taken,

And determined in the affirmative.

There being

AYES—12.

NOES— 2.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gammon, Garrett, Gray, Greene, of R. Green, of F. Howard, Lowry and Reynolds—12.

Those who voted in the negative, are;
Mr. Lytle and Rucker—2.

And so the said amendment was adopted.

The said bill, as amended, was then read a first time and passed.

Mr. Green, of F. from the committee on internal improvements, to which had been referred a petition of Jesse Lincoln and Reuben Ross, praying an extension of the charter of their turnpike road, reported

A bill to extend the charter of the turnpike road from Sparta to Kimmers, now owned by Jesse Lincoln and Reuben Ross,

Which was read a first time and passed.

Mr. Smith, from the select committee, appointed to examine and if necessary to revise the county revenue laws, reported

A bill to amend and reduce into one, the several acts concerning the county revenue,

Which was read a first time and passed.

A resolution laid upon the table on yesterday by Mr. Green, of F. instructive to the judiciary committee,

Was taken up, read and adopted.

A resolution laid upon the table on yesterday by Mr. Smith, referring certain grants for adjudication, was taken up, read and referred to the committee on land claims.

Mr. Reynolds, laid upon the table the following resolution:

Resolved, That the committee of finance be instructed to report a bill, providing for a settlement and adjustment of the accounts, and an examination of the books and papers of the entry taker's office of the Hiwassee district.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The said resolution, was then read and adopted.

A message from the house of representatives, by
Mr. Campbell, their clerk,

MR. SPEAKER;

The house of representatives have adopted "A resolution, making it the duty of the Governor, to ascertain the expense of erecting one or more penitentiaries, in this State, and for other purposes."

They non-concur in your proposed amendments to

A bill for the relief of Allen D. Gentry, and

A bill to explain certain parts of the statutes against gaming.

And then he withdrew.

According to a rule of the senate, said resolution lies one day upon the table.

The message of non-concurrence, from the house of representatives was read—when

On motion of Mr. Green of F.

Ordered, That the clerk do, by message, insist upon the concurrence of the house of representatives, in said amendments.

Received from the house of representatives,

A bill for the relief of Henry Beidleman.

A bill to suppress private banking.

A bill to provide for a place of holding courts, in certain cases.

A bill to repeal certain laws therein named, and to declare others in force.

A bill to authorize the judge holding the circuit court of Maury county, to divorce Susanna D. Carr and Mary Harris, upon certain proof.

A bill to provide for entering lands in the Hiwassee district, heretofore condemned for the use of lead works,

A bill to provide for the better regulation of the town of Alexandria in the county of Smith.

A bill to authorize the judges holding the circuit courts, in the respective circuits, to hold courts

of oyer and terminer for the trial of causes above the grade of petit larceny.

A bill for the relief of Audley Harrison and Thomas Ely.

A bill to authorize the sheriff of McNairy county, to hold precinct elections in said county.

A bill to make the branch bank at Columbia an independent bank, in the event the mother bank winds up its affairs.

A bill to regulate the fee of the attorneys general.

A bill to authorize the drawing of a lottery for the improvement of the navigation of Stones river.

A bill for the benefit of the heirs of David Dead-erick.

A bill for the benefit of James P. Taylor, attorney general, 1st solicitorial district.

A bill to explain the sixth section of the acts of 1794, chap. 5.

A bill authorising lotteries for the erection of a female academy in the county of Maury, and a masonic hall in the town of Polaski, and

A bill for the relief of mechanics and tradesmen,
Which bills were severally read a first time, and passed.

Received from the house of representatives,

A bill to divorce Aurela Formwalt from her husband Jno. B. Formwalt;

A bill to divorce Martha M. Williams from her husband Harmond Williams;

A bill to divorce Silas Williams from his wife Nancy; and,

A bill to divorce certain persons therein named;

Ordered, That said bills be referred to the committee on divorces,

Received from the house of representatives,

A bill for the benefit of the entry taker of Jackson county; and,

A bill to reduce the salary of the secretary of state,

Which bills were both read a first time, and rejected.

A bill for the relief of the heirs of Tart Mosely, deceased;

Was read a second time;

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES— 9.

NOES— 7.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Brown, Gammon, Gray, Green, of F. Howard, Lytle, Lowry, Smith, and Walker.—9.

Those who voted in the negative, are;

Mr. Speaker Hall, Frey, Garrett, Greene, of R. Reynolds, Rucker, and Williams.—7.

And so the said bill passed.

A bill granting a re-survey of Overton county, and for other purposes;

A bill for [the] relief of Wm. R. Davis;

A bill authorising John Kelly to build a dam across Sequatchie river;

A bill to extend the provisions of an act, passed at Murfreesboro', August 15th, 1822;

A bill to amend an act, passed 1825, chap. 202, for the relief of Richard Gamble, an idiot in Sullivan county;

A bill for the benefit of John Waugh, of M^r-Minn county;

A bill for the relief of certain militia companies in the 89th [regiment] of Tennessee militia;

A bill to regulate the sittings of the county court of Jackson county; and,

A bill to authorise W. W. Lea to build a mill dam across Forked Deer river,

Were severally read a second time, and passed.

A bill to define the jurisdiction of justices of the peace,

Was read a second time.

Mr. Lowry made a motion to strike out the first and sections of said bill, which gave justices of the peace exclusive original jurisdiction of all sums due on bonds, note or liquidated accounts of one hundred dollars and under; also, to amend the caption of said bill to read a bill giving to justices of the peace compensation for their services.

And the question thereon was taken,

And determined in the negative;

There being

AYES— 6.

NOES—11.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Garrett, Gray, Green, of F. Lowry, Reynolds, and Williams.—6.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gammon, Greene, of R. Howard, Lytle, Rucker, Smith, and Walker.—11.

And so the said amendments were not made.

Mr. Green, of F. then withdrew said bill for amendment.

A message from the house of representatives, by Mr. Campbell, their clerk.

Mr. SPEAKER,

The house of representatives non-concur in your amendment to a bill to authorise the individuals therein named to raise one hundred thousand dollars for the purpose of improving the navigation of Cumberland river.

And then he withdrew.

The senate receded from their proposed amendment.

Mr. Rucker offered an amendatory section to said bill, requiring the commissioners to give bond

and security to the clerk of the circuit court of Davidson county, in the penal sum of two hundred thousand dollars for the faithful appropriation of the monies raised by said lottery.

Mr. Bradford also offered an amendatory section providing that if said commissioners should fail to commence drawing said lottery for five years they should refund to ticket holders the sums by them paid, and upon failure be subject to suit for the same.

The said amendments were both read, and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Rucker withdrew, for amendment, a bill for the relief of the parties in certain causes depending in the supreme court of errors and appeals in Knoxville and Nashville.

Mr. Gammon withdrew, for amendment, a bill for the relief of such persons as hold land under grants from the States of North Carolina and Tennessee.

And then the senate adjourned.

FRIDAY, NOVEMBER 23rd, 1827.

Mr. Lowry, from the joint select committee appointed to enquire into the propriety of having run and marked the boundary line between the Cherokee tribe of Indians and the United States, reported

A bill to provide that the southern boundary line may be distinctly ascertained and sufficiently marked,

Which was read a first time; and passed.

Mr. Brown, from the joint select committee ap-

pointed to examine the revisal of the laws by Messrs. Haywood and Cobbs, made the following report:—

“The committee appointed to examine the revisal made out by the late judge Haywood and Robert L. Cobbs, Esq. have received a report from the latter gentleman, which they beg leave herewith to present to the General Assembly.

“Your committee further state, that with a view of examining the said work, with as much care as possible, they distributed amongst themselves different portions thereof, bestowing on the examination all the time which could be spared from their ordinary business of legislation. They believe the report of Mr. Cobbs, as to the plan and manner of execution of said revisal is correct—and they entertain the most favorable opinion of the ability with which it has been done. They, therefore, very earnestly recommend its publication and distribution, in such manner as the wisdom of this general assembly may direct.

All which is respectfully submitted.

A. V. BROWN, *Chairman.*

The report of Robert L. Cobbs, Esqr., of the plan and execution of said revisal, was read at the clerk's table.

Ordered, That the clerk transmit the same to the house of representatives.

A resolution received from the house of representatives on yesterday, making it the duty of the governor to ascertain the expense of erecting one or more penitentiaries in this State,

Was taken up, read and non-concurred in.

On motion of Mr. Howard,

Ordered, That

A bill to provide for funding the college and academy debt be made the order of the day for Tuesday next.

Mr. Garrett, who had withdrawn for amendment,

A bill to regulate certain proceedings on executions, and for other purposes—returned the same without amendment.

The said bill was read a third time, and
On the question, shall the said bill pass?
It was determined in the affirmative
There being

AYES—12.
NOES— 5.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Garrett, Greene of R., Green of F., Howard, Lowry, Lytle, Smith and Williams—12.

Those who voted in the negative, are;

Mr. Bradford, Gray, Reynolds, Rucker and Walker—5.

And so the said bill passed.

Mr. Rucker laid upon the table the following resolution:

Resolved, That the judiciary committee be instructed to enquire into the expediency of making it the duty of the secretary of State, to have bound in volumes of convenient size, at the expense of the State, three copies of all the pamphlet acts of the general assembly of Tennessee, from the year 1796, and to have bound, hereafter, the acts, whenever there may be a sufficient number to make a volume; and that it be made the duty of said secretary, if there be not a sufficient number in his office, to enquire after and procure the same at the expense of the State, with leave to report by bill or otherwise.

According to a rule of the senate, said resolution lies one day upon the table.

Mr. Green of F. laid upon the table the following resolution:

CG SENATE

Resolved, That grant No. 5759 to William P. Anderson, for 200 acres; grant No. 11848 to Richard Sharp; grant No. 3553 to Thomas Silliman, and grant No. 6811, to Isaac McLeroy, be referred to the commissioner for adjudication, and if it shall appear, that the same, or any of them, be wholly or in part, within the boundaries of older and better titles, he shall issue certificates for such interference, as in other cases.

Ordered, That said resolution be referred to the committee on land claims.

Mr. Green of F. who had withdrawn

A bill to define the jurisdiction of justices of the peace in certain cases; returned the same without amendment.

Mr. Hall made a motion to reconsider the vote of yesterday, on Mr. Lowry's motion to strike out all of said bill except the third section;

And the question thereon was taken,

And it passed in the affirmative.

The question again recurred on Mr. Lowry's motion of yesterday.

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—8.

NOES—7.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Brown, Gammon, Garrett, Gray, Green, of F., Lowry, Reynolds and Williams.—8

Those who voted in the negative, are;

Mr. Bradford, Frey, Howard, Lytle, Rucker, Smith and Walker.—7.

And so the said sections were stricken out.

Mr. Green of F. then offered an amendment in lieu of the whole bill, from the word a bill which gave to justices of the peace the following fees, to wit: for rendering judgment, twenty-five cents;

issuing executions, twelve and one half cents; for services in any state prosecution, where the defendant is not bound or committed, twenty-five cents, and in cases where they are recognized or committed, fifty cents, and to amend the caption to read.

A bill to allow justices of the peace compensation for services in certain cases.

Which was read and adopted.

The said bill, as amended, was then read a second time;

And on the question, shall the said bill pass?

It was determined in the negative;

There being

AYES— 6.

NOES—11.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall. Gray, Greene, of R., Green, of F., Lowry and Walker.—6.

Those who voted in the negative, are;

Mr. Bradford, Brown, Frey, Gammon, Garrett, Howard, Lytle, Reynolds, Rucker, Smith and Williams.—11.

And so the said bill was rejected.

A bill to reduce constables' fees,

Was read a second time.

Mr. Smith made a motion to strike out the 3rd [and] 4th sections; which provided, that if constables resided without the bounds of the captains' company for which they were appointed, their acts should be null and void;

Which was agreed to by the Senate.

Mr. Reynolds made a motion to strike out January, as the time this act should go into effect, and insert, in lieu thereof, July;

Which was, also, agreed to by the senate.

Mr. Frey made a motion to insert the words "on all sums under \$20 five per-cent. commission,"

Which was, also, agreed to by the senate.

This bill, as amended, gave constables' commissions on sums of twenty dollars and under, five per cent, on sums above twenty and under fifty dollars four per cent, and on sums above fifty dollars, three per cent, and

On the question.

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—15.

NOES— 3.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Garrett, Gray, Greene, of R. Green, of F., Huntsman, Lowry, Lytle, Rucker, Smith, Williams and Walker.—15.

Those who voted in the negative, are;

Mr. Bradford, Howard and Reynolds.—3.

And so the said bill passed.

Received from the house of representatives,

A bill to authorise coroners to do certain duties;

Which was read a first time and passed.

A bill for the relief of the sheriffs of Hickman and Hardin counties, and

A bill more effectually to provide for the safe keeping of the estates of idiots and lunatics;

Were both read a second time and passed.

A bill for the relief of enterers of land north and east of the congressional reservation line,

Was read a second time and rejected.

Mr. Gray, who had withdrawn for amendment,

A bill directing the mode of surveying and granting occupant entries, in the western district, returned the same, with an amendment, extending the rights of occupancy to all persons who may be settled and actually residing upon vacant and unappropriated land, previous to the passage of this act, and directing the manner by

which they may be secured in the possession thereof.

The said amendment was read and adopted.

The said bill, as amended, was then read a third time and passed.

Mr. Frey withdrew for amendment,

A bill to authorise the drawing of a lottery for cutting a canal from Hatchie to the Mississippi river.

On motion [of] Mr. Reynolds,

Ordered, That sixty copies of

A bill to amend and reduce into one the several acts concerning the county revenue, be printed for the use of the general assembly.

And then the senate adjourned.

SATURDAY, NOVEMBER 24th, 1827.

Mr. Howard presented a petition of sundry citizens of Greene county, praying the passage of a law authorising John Cannon to build a mill on the south sluice of Chucky river, under certain restrictions;

Ordered, That said petition be referred to [the] committee of propositions and grievances.

Mr. Smith presented a letter of non-acceptance of Harrold D. Marchbanks, as surveyor of the third surveyor's district, who was appointed during the present session;

Ordered, That the letter be transmitted to the house of representatives.

Mr. Lytle, from the committee on land claims to which had been referred,

A bill for the benefit of Legate McCrory, assignee of Thomas McCrory, reported the same without amendment;

Which bill was read a first time and passed.

CC2 SENATE.

Mr. Lytle, from the same committee, to which had been referred,

A petition of James Blackemore; reported

A bill directory to the surveyor of the 13th district;

Which bill was read a first time and passed.

A resolution, laid upon the table on yesterday, by Mr. Rucker, directory to the judiciary committee,

Was taken up, read and adopted.

Mr. Smith laid upon the table the following resolution:

Resolved, That the committee on land claims be instructed to enquire what disposition is necessary to be made with the office of the third surveyors district, and report by bill or otherwise.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The said resolution was then read and adopted;

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The house of representatives have adopted the following resolutions, in which they ask your concurrence:

RESOLVED, by the General Assembly of the State of Tennessee, That Robert L. Cobbs be, and he is, hereby instructed to prepare a glossary, to be appended to each volume of the revisal of the laws of this State.

RESOLVED, by the General Assembly of the State of Tennessee, That the following persons be, and they are, hereby appointed justices of the peace, for the following counties, to wit:

For the county of Stewart, William Olive;

For the county of Williamson, John Baugh;

For the county of Giles, Richard Briggs;

For the county of Anderson, Martin Asher and William Warwick;

For the county of Sumner, Jeremiah Sarver and Daniel Lattimere;

For the county of Warren, William C. Smartt, John Payne and Charles Ferrell;

For the county of Hawkins, Samuel J. Lea, George Berry and Nicholas Faig.

For the county of Montgomery, Burwell Corbin, Thomas Payne and Richard T. Meriwether.

For the county of Wayne, James Parker and Jesse Walker;

For the county of Hardin, Jesse B. Gant, Joseph W. Ellis, Thomas W. Poindexter, James K. Martin, James J. Bowman, James English, Samuel Robertson and John Davy;

For the county of Cocke, Toliver Sisk and William Kelly;

For the county of Sevier, William Trentham; and then he withdrew.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The resolution, requiring Robert L. Cobbs, Esq. to prepare a glossary for the revised laws,

Was read and concurred in.

The resolution appointing justices of the peace was then read, and so much thereof as appoints justices of the peace for the counties of Stewart, Williamson, Giles and Anderson, was concurred in, and the balance referred to the committee on captains' companies and justices of the peace.

Received from the house of representatives,

A bill to amend an act, entitled "an act for the relief of the persons therein named," passed Dec. 9th, 1826; and

A bill to change the times of holding county and circuit courts in the county of Maury;

Which bills were both read a first time and passed.

Received from the house of representatives,

A bill to establish battalion drills,

Which was read a first time and rejected;

A bill for the benefit of the estate of John Porter, decd.;

A bill establishing a female academy in the town of Greeneville;

A bill providing for the redemption of mortgaged property, sold by a decree foreclosing such mortgage;

A bill requiring certain duties to be performed by the trustees of the different county academies, and for other purposes;

A bill more effectually to compel public ferry-keepers to do their duty;

A bill to amend an act for the benefit of the citizens of Cade's Cove;

A bill for the relief of the creditors of Patrick O'Callahan, decd.;

A bill for the benefit of Benj. C. Totten;

A bill for the relief of Abraham Hunter;

A bill to alter the name of Polly Capalinger to that of Polly Trout;

A bill to amend an act, entitled "an act, to authorise the county court of Davidson to lay a tax for the purpose of building a court house;

A bill to establish a town on the lands of Jacob Moore, in McMinn county;

A bill to provide for the better regulation of the town of Tellico, in the county of Monroe;

A bill to authorize the county court of Carroll to establish certain toll bridges and causeways;

A bill for the benefit of Benjamin Guyger;

A bill authorising the creation of a volunteer company of artillery in McMinnville;

A bill authorising Daniel W. Love to act as auctioneer in the town of Bolivar;

A bill for the relief of Thomas Simpson, of Overton county;

A bill to appoint commissioners for the town of Sparta;

A bill to appoint additional trustees for Campbell academy, in the county of Wilson;

A bill to authorise John Peyton to open a turnpike road; and

A bill to amend an act passed at Murfreesboro', Nov. 4th, 1825, entitled "an act more effectually to define the jurisdiction of the courts of equity,"

Were severally read a second time and passed;

A bill to alter the name of Sterling Baker to Thomas Crutcher Baker;

A bill for the relief of Grigsby Coelough;

A bill to authorize Isaac Miller and Lewis Miller to build a mill, in the county of Anderson, on Clinch river;

A bill to repeal the 2nd section of an act, "for the benefit of Noah Parker," and

A bill to authorise John Kelly to build a dam across Sequatchie river;

Were severally read a third, and last time, passed, and ordered to be enrolled.

A bill for the relief of the sheriffs in the Hiwassee district,

Was read a second time and rejected.

A bill to lay off and establish precinct elections in the counties of Rutherford and Cocke,

Was read a second time;

And on the question,

Shall the said bill pass?

It was determined in the negative;

There being

AYER— 4.

NOES—10.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Brown, Garrett, Lytle, and Rucker—4.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Frey, Gammon, Gray, Greene, of R. Howard, Lowry, Reynolds, and Williams—10.

And so the said bill was rejected.

Mr. Frey who had withdrawn,

A bill authorising the drawing of a lottery for cutting a canal from Hatchee to [the] Mississippi river; returned the same with an amendment, authorising a lottery to raise money for the purpose of building a bridge across Red river, which was adopted.

The said bill as amended, was then read a third time and passed.

Mr. Hall withdrew for amendment,

A bill for the benefit of the citizens of Sumner and Smith counties.

Mr. Garrett withdrew for amendment,

A bill to define the duty of sheriffs and constables in certain cases.

And then the senate adjourned.



MONDAY, NOVEMBER 26th, 1827.

Mr. Bradford presented a petition of sundry citizens of Bedford county, praying that the law imposing a tax for the payment of jurors, be so amended as that the fund for the payment of jurors, be raised by a tax on law suits, and that the law giving a tax fee to attornies be repealed, and fee be taxed in the bill of cost for the payment of jurors; and also, to amend the judiciary system so as that grand jurors be discharged after the third day of the term;

Ordered, That said petition be referred to the judiciary committee.

Mr. Walker, from the committee on enrolled bills, reported that they had examined and found to be truly enrolled;

An act for the relief of Grigsby Coclough;

An act to alter the name of Sterling Baker, to that of Thomas Crutcher Baker;

An act to repeal the second section of an act, for the benefit of Noah Parker;

An act to authorise John Kelly to build a dam across Sequatchee river; and,

An act to authorise Isaac Miller and Lewis Miller, to build a mill on Clinch river, in Anderson county.

The speaker signed said enrolled bills;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

Mr. Williams laid upon the table the following resolution:—

Resolved, That the military committee be instructed to enquire into the expediency of providing by law, that the expense of militia court martials, shall be paid by the defendant, if he is found guilty, and by the prosecutor, if he fails to sustain the prosecution.

Mr. Frey laid upon the table the following resolutions:—

Resolved, That the committee on banks, or a sub committee, appointed by said committee, be instructed to enquire into the situation of the new State Bank, and that they have power to call for persons and papers, and the officers of said bank shall afford to said committee every facility required by them, in producing the books, and disclosing the transactions of said bank, and that said committee report the true situation of said bank as near as may be, and what amount of money is loaned to individuals, on what is called real transaction business, and on what funds said real transaction loans are botomed, and to examine as far as practicable into all the affairs of said bank.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended,

The said resolutions were then read, and adopted.

Ordered, That the clerk acquaint the house representatives with the adoption of the last of said resolutions, and ask their concurrence therein.

A bill to amend an act concerning old titles to land and for limitation of actions, and for avoiding suits at law,

Was read a second time.

This bill provided that all actions of debt grounded upon any contract or writing not under seal, which shall be sued or brought after the passage of this act, shall be commenced or brought within three years, next, after the cause of such action or suit and not after, &c. &c.

Mr. Howard offered an amendment in lieu of the whole bill, from the words "a bill" the caption to read

A bill to limit the operation of the statute; and providing "that hereafter the statute of limitations shall not extend to actions brought upon promissory notes or other writings for the payment of money or bank notes or other valuable things; *Provided*, that nothing herein contained shall effect contracts which now exists, or which may be made before the 1st day of July next;

"That the statute of limitations shall extend to all actions of debt, brought upon any unwritten agreement, either expressed or implied, in the same manner, and under the same rules, regulations and restrictions as the same now extends to actions of assumpsit, or actions on the case;"

And the question thereon was taken,

And determined in the negative;

There being

AYES— 8.

NOES—10.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Brown, Gammon, Greene, of R. Howard, Lytle, Rucker, Smith and Walker—8.

Those who voted in the negative, are;
 Mr. Speaker Hall, Bradford, Frey, Garrett,
 Gray, Green, of F. Huntsman, Lowry, Reynolds
 and Williams—10.

And so said amendment was not adopted.

The question then recurred upon the passage of
 the original bill;

And the question thereon was taken,

And determined in the negative;

There being

AYES— 7.

NOES—11.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Brown, Greene, of R. Lowry Lytle, Rey-
 nolds, Walker and Williams—7.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Frey, Gammon,
 Garrett, Gray, Green, of F. Howard, Huntsman,
 Rucker and Smith—11.

And so the said bill was rejected.

A bill for the relief of Samuel M'Connell,

Was read a second time.

Mr. Green, of F. moved an amendment to said
 bill, which was adopted.

The question was then taken,

Shall the said bill pass?

And determined in the affirmative;

There being

AYES— 9.

NOES— 8.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Greene, of R. Green, of F. Howard, Hunts-
 man, Lowry, Lytle, Reynolds, Rucker, and Wil-
 liams—9.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gam-
 mon, Garrett, Gray, and Smith—8.

DD SENATE.

And so the said bill passed.

Mr. Garrett, who had withdrawn for amendment,

A bill to define the duty of sheriffs and constables in certain cases, returned the same with an amendment;

Ordered, That said bill and amendment lie upon the table.

Mr. Rucker, who had withdrawn for amendment,

A bill for the relief of the parties in certain suits depending in the supreme court of errors and appeals held at Knoxville and Nashville.

On motion of Mr. Garrett,

A bill to establish a female academy in the county of Claiborne, was taken up, read a first time and passed.

Mr. Garrett withdrew for amendment,

A bill for the benefit of sheriffs.

Mr. Greene, of R. withdrew for amendment,

A bill to provide for the payment of witnesses on the trial of brigadier general Wm. Stone;

A bill to amend an act, entitled "an act to authorise the Treasurer to receive certain monies, passed 23rd Nov. 1826,

Was read a third and last time, passed and ordered to be enrolled.

Mr. Rucker laid upon the table the following resolution:—

Resolved, That the president and directors of the bank of the state of Tennessee, report to this General Assembly, the amount of Nashville bank money now in the principal bank, what amount has been received since the 17th September last; also, that they shew how much has been loaned and on what terms, since that time; also, that they shew the aggregate amount of what has been re-loaned at the principal bank and branch under the provisions of the act of 1826; also, that they shew, as

near as their means of information will allow, the aggregate amount of said money at their branch bank and at their several agencies.

According to a rule of the senate, said resolution lies one day upon the table.

And then the senate adjourned.

TUESDAY, NOVEMBER 27th, 1827.

Mr. Smith presented a supplemental petition of Wm. C. Britton, jailor of White county, to a petition heretofore presented on the 17th ult. accompanied by an account of subsistence and expenses incurred in the apprehension and safe-keeping of Isaac Martin, who was charged with horse stealing;

Ordered, That said petition and account be referred to the committee of propositions and grievances.

Mr. Lowry, from the committee of propositions and grievances, to which had been referred a petition of sundry citizens of Smith county, praying that compensation be made to Edward Settle of said county for a negro slave, who was executed under a sentence of court; made a report thereon which was read, and the resolution therein was concurred in as follows;

Resolved, That the prayer contained in said petition, is unreasonable and ought not to be granted.

Mr. Frey, from the committee on claims, to which had been referred a petition of Elizabeth Young, administratrix of Wm. Young, deceased, praying to be refunded the purchase money, paid on a quarter section of land in the Hiwassee district by her late husband, which is included within an Indian reservation, reported that the com-

mittee had considered said petition, and that provision was made therefor, in

A bill for the relief of Samuel M'Connell," and had directed him to ask to be discharged from the further consideration of said petition;

Ordered, That said committee be discharged from the further consideration of said petition.

Mr. Rucker, from the judiciary committee, reported

A bill requiring the secretary of state to have bound and kept, in his office, a certain number of copies of the pamphlet laws of this state,

Which was read a first time and passed.

Mr. Williams, from the judiciary committee, to which had been referred

A bill regulating the fees of justices of the peace; and,

A bill authorising letters of administration, &c. to be granted by the clerks of the county courts in certain cases; made an unfavorable report thereon, which was read and concurred in.

The said bills were then both read and rejected.

Mr. Williams, from the same committee, to which had been referred

A bill prescribing the duties of executors and administrators in certain cases; and,

A bill providing for the satisfaction of certain judgments rendered by justices of the peace; made a favorable report thereon,

Which was read and concurred in.

The said bills were then both read a first time and passed.

Mr. Lytle, from the committee on land claims, to which had been referred a resolution instructing them to enquire, what disposition should be made with the books, &c. belonging to the third surveyor's office, reported

A bill to provide for closing the business belong-

ing to the office of the surveyor general of the third district,

Which was read a first time and passed.

A message from the house of Representatives, by Mr. Campbell their clerk.

Mr. SPEAKER,

The house of representatives concur in your resolution authorising the assignee or legal representatives of George Beard to file a certain grant for adjudication; also, in your resolution directing the joint committee on banks, to examine and report the true situation of the bank of the state of Tennessee.

The speaker of the house of representatives has signed an enrolled bill entitled

An act authorising a lottery for cutting a canal from Hatchie to [the] Mississippi river; and, to build a bridge across Red river; and

I am directed to deliver the same to the senate, to receive the signature of their speaker.

And then he withdrew.

The speaker signed said enrolled bill;

Ordered, That the clerk deposit the same in the office of the secretary of state.

Received from the house of representatives,

A bill to authorise the running of the county lines of the counties therein named; and,

A bill authorising navigation companies of the Caney Fork,

Which bills were both read a first time and passed.

A resolution laid upon the table on yesterday by Mr. Rucker, calling for certain information from the president and directors of the bank of the state,

Was taken up, read and so amended, as to require the committee on banks to furnish the information called for in said resolution. The said resolution was then adopted.

DD2~ SENATE

Mr. Hall, who had withdrawn for amendment

A bill for the relief of the citizens of Sumner and Smith counties, returned the same with an amendment,

Which was read and adopted.

The said bill was then read a second time and passed.

Mr. Greene, of R. who had withdrawn for amendment,

A bill to provide for the payment of witnesses on the trial of brigadier general Wm. Stone, returned the same with a proposed amendment.

On motion of Mr. Reynolds,

Ordered, That said bill and amendment be referred to the military committee.

A bill to authorise Daniel W. Love, to act as an auctioneer in the town of Bolivar,

Was read a third and last time, and rejected.

A bill to incorporate the town of Waynesboro', in the county of Wayne;

A bill authorising the creation of a volunteer company of artillery in the town of M'Minrville;

A bill more effectually to provide for the safe keeping of the estates of idiots and lunatics; and,

A bill for the benefit of Benjamin Guyger,

Were severally read a third and last time, passed and ordered to be enrolled.

On motion of Mr. Greene, of R.,

The senate again took up

A bill more effectually to prevent champerty and maintainance in certain cases.

The question recurred upon Mr. Williams's motion of the 19th instant, to strike out the original bill, leaving the amendment made by the judiciary committee;

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—12.
NOES— 4.

The ayes and noes being required;
 Those who voted in the affirmative, are;
 Mr. Speaker Hall, Bradford, Frey, Garrett, Gray,
 Green, of F. Huntsman, Lowry, Reynolds, Smith,
 Walker and Williams.—12.

Those who voted in the negative, are;
 Mr. Gammon, Greene, of R. Lytle, and Rucker.
 —4.

And so the said amendment was made.

The said bill as amended, was then read a third
 time, and

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—13.

NOES— 4.

The ayes and noes being required;
 Those who voted in the affirmative, are;
 Mr. Speaker Hall, Bradford, Gammon, Garrett,
 Greene, of R., Howard, Huntsman, Lytle, Mc-
 Means, Rucker, Smith, Walker and Williams.—13.

Those who voted in the negative, are;

Mr. Frey, Green, of F. Lowry and Reynolds.—4.

And so the said bill passed.

A bill for the relief of Lewis Ross and John
 Walker, Jr.

Was read a second time, and

On the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—12.

NOES— 6.

The ayes and noes being required;
 Those who voted in the affirmative, are;
 Mr. Speaker Hall, Gammon, Green, of F., How-
 ard, Huntsman, Lowry, Lytle, Reynolds, Rucker,
 Smith, Walker and Williams.—12..

Those who voted in the negative, are;
 Mr. Bradford, Frey, Garrett, Gray, Greene, of R.
 and McMeans.—6.

And so the said bill passed.

A bill to alter the time of holding battalion
 musters in the 78th regiment;

A bill to regulate the county courts therein nam-
 ed;

A bill for the benefit of John Brown of Roane
 county;

A bill for the benefit of John Wilkinson;

A bill to prevent abuses in granting certioraris,
 supercedeas's &c., and

A bill to provide for the regulation of the town
 of Tellico, in the county of Monroe,

Were severally read a third time, and passed.

On motion of Mr. Lowry,

The senate resolved itself into a committee of
 the whole, on

A bill for the purpose of funding the college
 and academy debt,

And after some time spent, in the consideration
 thereof, the committee rose, and Mr. Frey report-
 ed that they had had said bill under consideration
 and made some progress therein, and directed him
 to ask leave to sit again;

Ordered, That the committee of the whole have
 leave to sit again.

Mr. Williams, from the judiciary committee
 reported,

A bill to explain the meaning and construction
 of certain words in the statutes of limitations, now
 in force in this State;

Which was read a first time and passed.

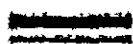
Mr. Frey withdrew, for amendment,

A bill fixing the fees of any officer for removing
 criminals from one county to another.

Received from the house of representatives,

A bill for the relief of Charles Minor,

Which was read a first time, and passed.
And then the senate adjourned.



WEDNESDAY, NOVEMBER 28th, 1824

Mr. Williams, from the judiciary committee, reported,

A bill to amend an act, entitled "an act, to regulate proceedings in civil cases, and for other purposes," passed 27th Nov. 1823,

Which was read a first time and passed.

Mr. Williams, from the same committee, to which had been referred,

A bill providing for writs of error in certain cases, made a favorable report thereon,

Which was read and concurred in;

The said bill was then read a second time and passed.

Mr. Williams, from the same committee, to which had been referred,

A letter from Alexander B. Bradford, one of the attorneys general of this state, asking an amendment to the criminal law, also, a resolution instructing said committee to enquire into the expediency of so amending the execution law, that persons who do not avail themselves of the stay of execution, may have their property sold on a credit, equal to the stay allowed by law; made an unfavorable report thereon,

Which was read and concurred in.

Mr. Lytle, from the committee on land claims, reported.

A bill for the relief of the heirs of John Groom, decd., and

A bill for the relief of Charles McClung;

Which bills were both read a first time and passed.

Mr. Lowry, from the committee of propositions and grievances, reported

A bill for the relief of Wm. C. Britton;

A bill to secure the free navigation of roaring river from Maurice Gore's to its junction with Cumberland river, and

A bill for the relief of John S. Hardy;

Which bills were severally read a first time, and passed.

On motion of Mr. Bradford,

Ordered, That the judiciary committee be discharged from the further consideration of a petition, presented by him, on Monday last, of sundry citizens of Bedford county, and that said petition be sent to the house of representatives.

Mr. Brown laid upon the table the following resolution:

WHEREAS, it has been represented to this general assembly, that grants Nos. 2 and 3 for 1000 acres each, issued by the state of North Carolina to Edward Harris, have lately been identified and established; and that said grants interfere with several entries and grants made and issued since the passage of the law opening offices south and west of the congressional reservation line—THEREFORE,

Resolved, That when it shall be made satisfactorily to appear to the secretary of state, that said grants have been identified and constitute the older and better title to the lands covered thereby, and that the same interfere with any entry made or grant issued by this State, in whole or in part, to issue certificates for so much as shall be so lost or taken, to the persons entitled to the same, on the surrender of the grants to be cancelled, or to be endorsed on, where the whole is not taken, as may be necessary in the opinion of the register, and where the same has not been perfected into grants, it shall be lawful to set aside and vacate so much

of the entry as is interfered with, on a certificate of the surveyor of the district, ascertaining the facts of interference, by either of said grants, and re-enter on any vacant and unappropriated lands in the same district.

Mr. Greene of R. laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That William McGill and Robert Cosby, be, and they are, hereby appointed justices of the peace for the county of Hamilton.

Mr. Gray laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the state of Tennessee, That A. D. Cutler, of Carroll county, and John Harpole of Obion county, be, and they are, hereby appointed justices of the peace for their respective counties.

According to a rule of the senate, said resolutions lie one day upon the table.

The senate again resolved itself into a committee of the whole, on

A bill for the purpose of funding the college and academy debt,

And after some time spent in the consideration thereof, the committee arose, and Mr. Frey reported they had again had said bill under consideration and made further progress therein, and directed him to ask leave to sit again;

Ordered, That the committee of the whole on said bill have leave to sit again.

On motion of Mr. Huntsman,

A bill to regulate the time of holding some of the courts in the western district;

Which had been laid upon the table, was taken up, read a first time and passed;

A bill supplemental to an act, entitled

An act to establish academies in the counties of Bledsoe and Marion;

Was read a second time, and passed.

A bill for the relief of owners of lots in the town of Philadelphia, in the county of Monroe;

A bill for the relief of the citizens of Smith and Sumner counties;

A bill to provide for the improvement of the lots in the town of Pulaski;

A bill to continue certain causes;

A bill to appoint additional trustees to Bolivar and Lexington, and

A bill for the relief of Riley Yates;

Were severally read a third and last time, passed, and

Ordered to be engrossed.

Mr. Frey, who had withdrew for amendment,

A bill to fix the fees of any officer for removing criminals from one county to another, returned the same with an amendment,

Which was read and adopted.

Mr. Howard then withdrew said bill for amendment;

And then the senate adjourned.

THURSDAY, NOVEMBER 29th, 1827.

Mr. Lowry presented a memorial of sundry citizens of Blount county, remonstrating against the appropriation of money for the erection of a monument in memory of Gen. James Robertson, as recommended in the message of Gov. Carroll;

Ordered. That said memorial lie upon the table.

Mr. Smith presented a report of Garrett Hall, commissioner of the turnpike road, of Marchbanks Butler and others, stating that said road is in the order and repair required by law;

Ordered. That said report lie upon the table.

Mr. Greene of R. from the committee on Indian reservations, reported

A bill providing compensation for the counsel for the state, in certain Indian reservation suits,

Which was read a first time and passed

Mr. Lytle, from the committee on land claims, to which had been referred sundry bills, petitions and other papers, purporting to be evidences of land claims, made a detailed report thereon, which was read at the clerk's table, accompanied by the following resolution:—

RESOLVED, *by the General Assembly of the State of Tennessee, That*

1	Grant No	22300	for 640 acres to John Rhea,
2	"	15680	160 " Th: Stewart,
3	"	2153	640 "
4	"	1719	640 "
5	"	2941	640 "
6	"	822	640 " J. Cobb, W. Paine and J. Smith,
7	"	391	80 " interference,
8	"	394	63 " Joseph Cobb,
9	"	310	331½ " interference,
10	"	8920	640 " John Morgan,
11	"	228	640 " Elisha Wallen,
12	"	847	640 " do. do.
13	"	469	640 " Jno. Williams,
14	"	511	640 " Jno. Carmack,
15	"	419	600 " Benja. Wallen,
16	"	240	600 " Robert King,
17	"	358	640 " Samuel Hen- derson,
18	"	485	640 " Jos. Williams,
19	"	432	500 " Wm. Hall,
20	"	1299	200 " James Berry,
21	"	152	5000 " Stokely Don- aldson,
22	"	155	5000 " do. do.
23	"	5759	200 " Wm. P. Ander- son,

24	Grant No. 11845	300 acres to Rich'd Sharp,
25	" 3533	" " Tho's Silhman,
26	" 6811	" " Isaac Mc Leroy
27	" 2394	" "
28	" 23331	500 " Tho's P. Deve- reaux,
29	" 9442	" " "
30	" 439	" " "

All of which are said to be interfered with, and praying that certificates may issue by reason of such interference, be referred to the commissioner of land claims for adjudication.

Resolved, That grants Nos. 397, 617 and 657, which issued from the state of North Carolina, be referred to the commissioners for adjudication, and if it shall appear from the certificate of the adjoining county in this state, that the said grants, or any part of them, lies north of the Kentucky line, and beyond the jurisdiction of this state, to issue certificates to the legal claimants, as in other cases; *Provided*, said grants are founded upon good and [valid] warrants, and that no other grants have issued thereon.

Resolved, That John Johnson of Dickson County, be permitted to remove his entry for 13.14 acres of land, made by virtue of entry No. 21963, and which was founded on certificate warrant No. 4698, issued by the register of West Tennessee, to David Mason, on the 10th day of July, 1822, and enter the same on any vacant and unappropriated land lying south and west of the congressional line: *Provided*, said Johnson satisfy the commissioner of land claims, that the whole of his entry is taken by older and better title, then said commissioner shall adjudicate his claim, as in like cases.

Resolved, That James W. Davis be permitted to enter certificate warrants Nos. 646 and 647, for 25 acres each, on any vacant and unappropriated land

south and west of the congressional line, and that the commissioner of land claims, issue to James W. Davis a certificate for 25 acres, in lieu of certificate No. 648, which said Davis lost; upon his making satisfactory proof to said commissioner of the loss of said certificate, No 648, and when issued, he may locate the same as the two above mentioned.

On motion of Mr. Walker,

Ordered, That said report and resolutions be laid upon the table.

A resolution laid upon the table on yesterday, by Mr. Brown, referring sundry land claims for adjudication,

Was taken up and read, and

Ordered, to lie upon the table for further consideration.

A bill to authorise a lottery to raise money for the purpose of improving the navigation of Stone's river,

Was read a second time.

Mr Rucker, made a motion to insert the following names in said bill, as commissioners, in addition to those already inserted, to manage and conduct said lottery: Joseph Kimbro', James Sharpe, Constant Hardeman, Matthew McClannahan, Edwin Sharpe, Samuel P. Black, Robert Jetton, Samuel Anderson, William Robb and Russell Dance.

Mr. Frey, also, made a motion to amend said bill by adding thereto a section, providing for the conducting and drawing of a lottery to raise money to build a bridge across Red river near its junction with Cumberland river;

The said amendments were both read and adopted, and the bill passed a second time,

Mr. Bradford, who had withdrawn for amendment,

A bill to define the liability of endorsers on pro-

missory notes and other instruments for the payment of money, returned the same without amendment;

The said bill was read a second time, and

On the question

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—10.

NOES— 7.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Garrett, Gray, Greene, of R., Lytle, Reynolds and Walker.—10.

Those who voted in the negative, are;

Mr. Bradford, Green, of F., Howard, Lowry, Rucker, Smith and Williams.—7.

And so the said bill passed.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The house of representatives have adopted the following resolutions, in which they ask your concurrence:

A resolution for the benefit of Mark Mitchell, or his legal assignee;

A resolution for the benefit of Thomas Hickman and James Hammonds;

A resolution referring the claims therein named for adjudication;

A resolution for the secretary of state to adjudicate certain certificates in the western district, and

A resolution directing the registers of the land office to issue certificates for remnants of warrants,

And then he withdrew.

According to a rule of the senate, said resolutions lie one day upon the table.

Mr. Garrett, who had withdrawn for amendment,

A bill for the benefit of sheriffs, returned the same with an amendatory section, which provided that the sheriffs and collectors of the different counties in this state, receive in payment of taxes, and the bank of the state, its branch and agents receive from their debtors, in payment, the notes of specie paying banks of the adjoining states, at such discount as it may rate at when it is received,

And on the question, to adopt said amendment,
It was determined in the negative;

There being

AYES— 7.

NOES—11.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Gammon, Garrett, Greene, of R., Howard, Huntsman, Lowry and Lytle.—7.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gray, Green, of F., Reynolds, Rucker, Smith, Walker and Williams.—11.

And so the said amendment was not adopted;

The said bill was then read a second time and passed.

A bill to repeal all laws authorising the change of venue in criminal cases,

Was read a third time;

And on the question,

Shall the said bill pass?

It was determined in the affirmative

There being

AYES—14.

NOES— 4.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gam-

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mon, Gray, Greene of R., Howard, Huntsman, Lytle, Rucker, Smith, Walker and Williams—14.

Those who voted in the negative, are;

Mr. Garrett, Green of F., Lowry and Reynolds.— 4.

And so the said bill passed.

Mr. Frey laid upon the table the following resolution:—

Resolved, That a joint select committee be appointed to make an estimate of the expenses of this general assembly, to include Monday the 10th of December next, and no longer.

Mr. Bradford laid upon the table the following resolution:

Resolved, That the committee on banks be instructed to prepare and report a bill making provision for a continuation of the agencies of the state bank in the different counties of this state for two years.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The said resolutions were then read and adopted;

Ordered, That the clerk acquaint the house of representatives with the adoption of the first mentioned of said resolutions and ask their concurrence therein.

On motion of Mr. Green of F.

The senate again took up on its third reading,

A bill to provide the manner in which costs in criminal cases shall be paid, and for other purposes,

The question recurred upon the amendment proposed by Mr. Bradford, on the 15th inst., and which had been laid upon the table with said bill,

And on the question to adopt said amendment,

It was determined in the negative;

There being

AYES— 8.
NOES—10.

The ayes and noes being required,
 Those who voted in the affirmative, are;
 Mr. Speaker Hall, Bradford, Brown, Frey, Gray,
 Lytle, Reynolds and Rucker.—8.

Those who voted in the negative, are;
 Mr. Gammon, Garrett, Greene, of R., Green, of
 F., Howard, Huntsman, Lowry, Smith, Walker
 and Williams.—10.

And so the said amendment was not adopted.

Mr. Bradford then offered the following as an
 amendment, which was read;

Be it enacted, That it shall be the duty of the
 treasurers of this state, to pay all claims hereby
 authorized to be discharged by the treasury of the
 state, under the provisions of this act, upon the
 production of the clerk's certificate, of the amount
 due to each claimant, and the sheriffs of the sever-
 al counties are hereby authorised to receive said
 certificates in payment of the state tax, in their
 respective counties, and pay the same into the
 treasury, which shall be a good voucher in the set-
 tlement of their accounts;

And the question thereon was taken,

And determined in the negative;

There being

AYES— 2.

NOES—15.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford and Reynolds.—2.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Gar-
 rett, Gray, Green, of F., Greene of R., Howard,
 Huntsman, Lowry, Rucker, Smith Walker and
 Williams.—15.

And so the said amendment was not adopted.

Mr. Green, of F. made a motion to amend said
 bill, by inserting in the first section, after the
 words circuit courts, the words "above the grade

of petit larceny," and insert, in the second section, after the words county courts, the words "and all cases in the circuit court of the grade of petit larceny and under,"

Which amendments were adopted.

On motion of Mr. Reynolds,

Ordered, That said bill lie upon the table for further consideration;

A bill to continue in force the provisions of an act, passed 5th Dec 1825.

Which had been laid upon the table, was taken up, read a first time and passed.

Received from the house of representatives,

A bill providing for certain land claims that cannot be identified; and,

A bill for the relief of Arthur Patterson,

Which were both read a first time and passed.

A bill to restore Thomas Rash to the rights of citizenship,

Was read a second time.

Mr Williams made a motion to amend said bill, so as to extend the same privileges to John Shirk, of Knox county,

Which was adopted, and the said bill was then passed.

A bill making compensation to the persons therein named;

A bill to establish a branch bank of the state at Jackson, in Madison county; and,

A bill to regulate the time of holding the courts therein named,

Were severally read a second time and passed;

A bill to authorise Christopher Balkman and Thomas Norman to hawk and peddle;

A bill to alter the name of Alice Arterbury to that of Alice Hamilton; and,

A bill to appoint commissioners for the town of Sparta,

Were severally read a third, and last time, passed, and ordered to be enrolled.

Mr. Howard, who had withdrawn for amendment,

A bill fixing the fees of any officer for removing criminals from one county to another, returned the same with an amendment, which was adopted.

The said bill was then read a second time and passed.

A message from the house of representatives, by Mr. Campbell, their clerk.

Mr. SPEAKER,

The house of representatives have adopted a resolution, requiring the committee appointed to examine and review the revisal of Haywood and Cobbs, to report upon certain enquiries therein made, in which they ask your concurrence.

And then he withdrew.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended,

The said resolution was then read, and adopted.

Ordered, That the clerk acquaint the house of representatives therewith.

Received from the house of representatives,

A bill for the relief of William Woods,

Which was read a first time and passed.

Mr. Garrett laid upon the table the following resolution:—

Resolved, That the persons appointed, under a resolution of this General Assembly, to secure the debt due from the Nashville bank to the state, require of the president and directors of said bank, to insure such property as may be conveyed in trust by them, to secure said debt against destruction by fire.

According to a rule of the senate, said resolutions lie one day upon the table.

And then the senate adjourned.

FRIDAY, NOVEMBER 30th, 1827.

Mr. Gammon presented a petition of sundry citizens of Hawkins county, praying that Richard Mitchell and Nicholas Fain, be appointed justices of the peace for said county;

Ordered, That said petition be referred to the committee on captains' companies and justices of the peace.

Mr. Williams, from the joint select committee appointed to adopt and report, such measures as may be necessary to remove some of the reservation cases to the supreme court of the United States, reported the following resolutions;

RESOLVED, by the *General Assembly of the State of Tennessee*, That our senators in congress be instructed, and our representatives requested, to use their best endeavors to procure an amendment to the judiciary act of 1789, to authorise the state of Tennessee, or those claiming under her, to remove from the courts of Tennessee, to the supreme court of the United States, one or more of the reservation causes arising under the treaties of 1817 and 1819, with the Cherokee tribe of Indians.

RESOLVED, by the *General Assembly of the state of Tennessee*, That the agent and attorney employed by this state, to defend the interest of the state against the reservation causes arising under the treaties of 1817 and 1819, with the Cherokee tribe of Indians, be directed to remove one or more of said causes from the courts of Tennessee, to the supreme court of the United States, if the laws of the United States should authorise the same to be done, and the faith of the state is hereby pledged to indemnify said agents and attorney against any reasonable expense or liability which they may incur, in carrying into effect this resolution.

The said report was read and concurred in.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Howard, from the committee of finance, reported the following resolutions:—

RESOLVED, by the General Assembly of the state of Tennessee, That Thomas Crutcher, Treasurer of West Tennessee, sell or dispose of fifteen hundred dollars of the notes of the bank of the state of Kentucky, and convert the same into par or available funds, on the best possible terms.

Resolved, That the Treasurer aforesaid employ counsel and bring suit for the recovery of fifteen hundred dollars, the amount of the notes held by said Treasurer, and due from the Farmers and Mechanic's bank of Nashville to the state of Tennessee; also, for the recovery of one hundred and forty four dollars, due from the Fayetteville bank to the state, or make such arrangements with the presidents and directors of said banks, as will secure available funds to the state for said amount.

The said report was read and concurred in.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Howard, from the same committee, reported

A bill appointing commissioners to settle with the entry taker of the Hiwassee district,

Which was read a first time and passed.

Mr. Lytle, from the committee on land claims, made the following report;

The committee on land claims to which had been referred, sundry petitions, papers, &c. purporting to be evidences of land claims, have had the same under consideration, and agreed to the following report;

1st. *Resolved*, That the petition of John F. Brown, praying a certificate warrant may issue to

him for a claim of 1,000 acres, is unreasonable and ought not to be allowed, because his claim is neither legal nor equitable, as appears by the evidences filed by him.

2nd. That the petition of John Wyatt, praying that the legislature will prohibit the surveyor from running an entry of Thomas Shute, upon his occupant claim, is unreasonable.

3rd. That the petition of Jane and Margaret Murphey, praying that an entry made in the name of John G. Blount, for 572 acres may be stopped before it interferes with their occupant claim, is unreasonable.

4th. That the petition of John Roark, praying for a preference of, or leave to enter, a quarter section of land in the Hiwassee district, which has been condemned for led works, is unreasonable.

5th. That the petition of Charles Isham, praying that the register of West Tennessee, may issue to him a certificate warrant for 50 acres, in lieu of one taken out of the third surveyor's office, as he supposes by mistake, some twelve or fifteen years since, is unreasonable.

6th. That the resolution referring warrant issued by the commissioner of East Tennessee, dated 6th April, 1809, founded on entry 1,387, is not supported by any evidence which will authorise the committee to report for adjudication.

7th. That the resolution proposing to refer grant 205 for 1,000 acres, by the state of North Carolina, to the commissioner for adjudication, is unreasonable.

All which is respectfully submitted.

WM. LYTLE, *Chairman.*

The said report was read and concurred in.

A resolution received from the house of representatives, on yesterday for the benefit of Mark Mitchell or his rightful assignee,

Was taken up, read and concurred in.

Ordered, That the clerk acquaint the house of representatives therewith.

On motion of Mr. Green, of F.

Ordered, That

A resolution for the benefit of Thomas Hickman and James Hammond;

A resolution referring the claims therein named for adjudication;

A resolution for the secretary of state to adjudicate and issue certificates to [be] located in the western district, which had been laid upon the table on yesterday, be referred to the committee on land claims.

A resolution from the house of representatives received on yesterday, directing the registers of the land offices, to issue certificates for remnants of warrants,

Was taken up, read and non concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

Mr. Huntsman, from the committee on banks, reported.

A bill to continue the respective agencies of the bank of the state of Tennessee,

Which was read a first time and passed;

On motion of Mr. Lowry,

The committee of propositions and grievance, to which had been referred

A bill for the benefit of Samuel Vest, was discharged from the further consideration thereof.

The said bill was then read a first time and passed.

On motion of Mr. Rucker,

The committee on divorces, to which had been referred

A bill to divorce Mary Martin from her husband Samuel N. Martin;

A bill to divorce Nancy Creesy from her husband John Creesy; and,

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A bill to divorce Martha M. Williams from her husband, were discharged from the further consideration thereof.

Mr. Rucker then offered an amendment to the first mentioned of said bills, in lieu of the three bills giving to the circuit courts of Williamson and Rutherford counties, power to divorce the parties for whose relief said bills were introduced, under certain restrictions;

Which was adopted.

Mr. Brown, offered an amendatory section to said bill, authorising the circuit court of Giles county to divorce Hickman from his wife under certain restrictions,

Which was also adopted.

The caption was amended to read,

A bill authorising the circuit courts to divorce the persons therein named;

The said bill as amended, was then read a second time and passed.

On motion of Mr. Garrett,

A bill appointing trustees to the academies therein named;

A bill directing the manner of swearing, to petitions for writs of certiorari and supercedeas;

A bill appointing town commissioners for the towns therein named;

A bill authorising Thomas Wheeler of Anderson county to open a turnpike road;

A bill to establish an inspection for tobacco, &c. in Claiborne county;

A bill giving further time to make surveys in the different entry-taker's offices north and east of the congressional line—and,

A bill for the benefit of Bean's Station turnpike road;

Which, had been laid upon the table, were taken up, severally read a first time and passed;

Received from the house of representatives,

A bill authorising James Kerby and Wm. Mc'Bath to erect a mill dam on Little river in the county of Blount;

A bill authorising the adjudication of certain land claims, and for other purposes, and

A bill for the benefit of Elizabeth L. Crenshaw

Which bills were severally read a first time, and passed.

Received from the house of representatives,

A bill for the relief of Andrew Hynes

Which was read a first time and rejected;

A bill to establish a female academy in the county of Claiborne;

A bill providing compensation to the persons therein named for revising the laws of this state;

A bill for the benefit of Wm. Mays and others;

A bill to authorise a turnpike road over the Tennessee bottom opposite Reynoldsburgh;

A bill to incorporate the academies therein named;

A bill for the benefit of Tennessee academy in the county of Rhea;

A bill to provide for closing the business belonging to the office of the surveyor general of the third district;

A bill to authorise Thomas Durham to build a fish trap on Caney Fork; and,

A bill giving further time to finish the public buildings in the town of Athens,

Were severally read a second time and passed.

A bill for the relief of the creditors of Patrick O. Callahan, dec'd; and,

A bill to repeal 2nd section of an act entitled, "an act to authorise the justices of the peace of Greene county to lay and collect a tax for the purpose of finishing the new court house and for other purposes," passed 12th Oct. 1824; and to empower the county court of said county to do certain duties.

Were both read a third time and passed.

A bill for the relief of Zachariah Sullens, and William Hitchcock;

A bill for the relief of certain militia companies in the 89th regiment;

A bill for the relief of Thomas Simpson of Overton county;

A bill for the benefit of George Brown;

A bill for the benefit of John Catlett and others;

A bill for the benefit of David Clark;

A bill for the relief of the sheriffs of Hardin and Hickman counties;

A bill to revive, continue and amend an act, passed 1826, to authorise the court of pleas and quarter sessions of Anderson county to build a house for the accommodation of the poor and for other purposes; and,

A bill to extend the benefits of an act, entitled "an act for the relief of the citizens who entered lands ceded to Kentucky under the acts of 1823, making provisions for entering lands at twelve and one half cents per acre;

Were severally read a third and last time passed, and

Ordered, To be enrolled;

A bill to authorise special judges to be appointed in the State of Tennessee;

Was read a second time and rejected;

A bill to provide for the payment of costs in certain cases;

Was read a second time;

And on the question, shall the said bill pass,

It was determined in the negative;

There being

AYES—4.

NOES—13.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Bradford, Greene of F., Lytle and Williams—4.

Those who voted in the negative, are;

Mr. Speaker Hall, Frey, Gammon, Garrett, Gray, Greene of R., Howard, Huntsman, Lowry, M^r. Means, Rucker, Smith and Walker—13.

And so the said bill was rejected;

A bill to provide that the southern boundary line between this State and the Cherokee tribe of Indians may be distinctly ascertained and sufficiently marked,

Was read a second time,

And on the question, shall the said bill pass,

It was determined in the negative;

There being

AYES—7.

NOES—8.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Greene, of R., Green, of F., Howard, Huntsman, Lowry, Lytle and Rucker.—7.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Frey, Garrett, McMeans, Smith, Walker and Williams.—8.

And so the said bill was rejected.

The senate again took up,

A bill to provide the manner in which cost in criminal cases shall be paid, and for other purposes;

Which was read a third time, and

On the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—11.

NOES—8.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Brown, Gammon, Garrett, Greene, of R.,

Green, of F., Howard, Huntsman, Lowry, Smith, Walker and Williams —11.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Frey, Gray, Lytle, McMeans, Reynolds and Rucker.—8.

And so the said bill passed.

A bill to authorise the circuit court of Giles county to direct the sale of some of the real estate of Charles Perkins, decd. and also, some of the real estate of Tyree Rhodes, decd. and others;—

Was read a third time.

Mr. Green of F. made a motion to strike out all of said bill, except the section, which authorised the circuit court of Lincoln county to direct the sale of some of the real estate of Andrew Moore, decd.

And the question thereon was taken,

And determined in the negative;

There being

AYES— 9.

NOES—10.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Frey, Gammon, Garrett, Green, of F., Howard Huntsman, Rucker, and Williams —9.

Those who voted in the negative, are;

Mr. Bradford. Brown, Gray, Greene, of R., Lowry, Lytle, McMeans, Reynolds, Smith and Walker.—10.

And so the said motion was lost;

The question was then taken,

Shall the said bill pass?

And determined in the affirmative;

There being

AYES—10.

NOES— 9.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Brown, Gammon, Gray, Green, of F. Howard, Lowry, Lytle, McMeans, Smith and Walker.—10.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Frey, Garrett Greene, of R., Huntsman, Reynolds, Rucker and Williams.—9.

And so the said bill passed.

On motion of Mr. Rucker,

The senate took up a bill to repeal all laws giving tax fees to attorneys at law;

The question recurred upon an amendment, reported by the judiciary committee on the 12th ult., which had been laid upon the table with said bill,

Which was read and adopted in lieu of the whole bill, from the enacting clause;

The said bill then passed a second time.

Mr. Bradford laid upon the table the following resolution:—

WHEREAS, it has been represented to this general assembly, that certain tracts of land, laid off in the Hiwassee district, for the use of common schools, have been taken possession of, and are now held by persons pretending to have titles to the same, and who may claim them under the statute of limitations, unless actions of ejectment, for their recovery, be shortly commenced;—Therefore,

RESOLVED, by the General Assembly of the state of Tennessee, That it shall be the duty of the entry taker of the said district, upon the fact appearing that any tract of land laid off for the use of schools, and which is represented on the general plan in his office as school land, has been taken possession of, by persons claiming title thereto, adverse to schools, to commence, in his name, and prosecute to recovery, actions of ejectment against all persons so claiming and holding possession, and said suits, in case of the death or resignation of

said entry taker, shall not abate, but shall be prosecuted by his successor, to final termination;

According to a rule of the senate, said resolution lies one day upon the table.

And then the senate adjourned.

SATURDAY, DECEMBER 1st, 1827.

Mr. Lowry presented a petition of Spencer Beavers, sheriff of McMinn county, stating that he received, for taxes, sixty dollars in notes on the Tombeckbee bank, which the treasurer of East Tennessee refuses to receive, praying for such relief as the justness of his case may require;

Ordered, That said petition be referred to the committee on claims.

On motion of Mr Gammon,

Ordered, That a petition of Elizabeth Young, adm'r's of Wm. Young, decd., heretofore presented and referred to the committee on claims, from the consideration of which they have been discharged, be re-committed to the said committee.

A resolution laid upon the table on yesterday by Mr. Bradford, directing the entry taker of the Hiwassee district to commence actions of ejectment against persons in possession of any school lands in said district;

Was taken up and read.

Mr. Bradford made a motion to refer said resolution to the judiciary committee, with instructions to report thereon, by bill or otherwise.

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—13.

NOES— 5.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Frey, Gammon, Garrett, Gray, Green, of F., Huntsman, Lytle, Reynolds, Rucker, Smith and Williams.—13.

Those who voted in the negative, are;

Mr. Brown, Greene, of R., Howard, Lowry and Walker.—5.

And so the said resolution was referred.

Mr. Brown, from the committee on enrolled bills, reported, that they have examined and found to be truly enrolled,

An act for the appointment of additional trustees to Bolivar and other academies;

An act to alter the name of Alice Arterberry to that of Alice Hamilton;

An act for the benefit of Benjamin Guyger;

An act to continue certain causes;

An act to authorise Christopher Balkham and Thomas Norman to hawk and peddle without paying a license;

An act to promote the improvement of lots in the town of Pulaski, and for other purposes;

An act to amend an act, entitled "an act to authorize the treasurer to receive certain monies," passed Nov. 23rd, 1826;

An act to incorporate the town of Waynesboro', in the county of Wayne.

The speaker signed said enrolled bills;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

Mr. Williams, from the judiciary committee, reported,

A bill for the relief of the heirs of persons dying intestate;

Which was read a first time and passed.

Mr. Lowry, from the committee of propositions and grievances, reported,

A bill for the benefit of Thomas Bradley, former-sheriff of Wilson county;

Which was read a first time and passed.

Mr. McMeans presented a letter of non-acceptance of James Lankford, who was appointed entry taker, for Humphries county, during the present session;

Which was read, and

Ordered to be sent to the house of representatives.

A message from the house of Representatives, by Mr. Campbell their clerk.

Mr. SPEAKER,

The house of representatives concur in your resolutions

Requiring the treasurer to perform certain duties, and

Instructing the delegation in congress to try and procure an amendment to the judiciary act of 1789, also

To remove some of the Indian reservation cases to the supreme court of the United States, also,

Appointing justices of the peace for the counties of Carroll, Obion and Hamilton, also,

To appoint a joint select committee to ascertain the expense of this general assembly, to include Monday the 10th Dec.

They insist upon your concurrence in their resolution directing the registers of the land offices to issue certificates for remnants of warrants, and they have adopted,

A resolution appointing justices of the peace for the counties of Dyer, Smith, Greene and Blount, in which they ask your concurrence;

The speaker has signed enrolled bills, entitled

An act to prevent abuses in granting writs of certiorari and supercedeas;

An act to amend the law of 1826, authorising

the establishment of a volunteer regiment, in the 9th brigade, T. m., and

An act to authorise sheriffs to transfer certain entries;

Which I am directed to deliver to the senate to receive the signature of their speaker;

And then he withdrew.

The speaker signed said enrolled bills received from the house of representatives;

Ordered, That the clerk deposit the same in the office of the secretary of state,

The resolution from the house of representatives, appointing justices of the peace for Dyer, Smith, Greene and Blount counties,

Was read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith;

A bill to provide for the transfer or assignment of plats and certificates or improvements, south and west of the congressional line;

A bill to authorise the volunteer companies attached to the 4th brigade to form themselves into a volunteer regiment;

A bill to repeal the act of 1809, chap. 97, altering the county line of Dickson county, and

A bill to regulate the time of holding some of the courts in the western district;

Were severally read a second time, and passed.

A bill to regulate the establishment of towns in this state;

Was read a third time, and passed.

A bill to regulate the sittings of the county court of Jackson and other counties;

A bill to extend the terms of the circuit court of Davidson county, and to fix the time of holding the chancery court at McMinnville;

A bill to authorise Wm. W. Lea to build a mill dam across Forked Deer river, and

A bill to authorize the county court of Carroll

county, to establish certain toll bridges and causeways;

Were severally read a third and last time, passed and

Ordered to be enrolled.

A bill to reduce constables' fees,

Was read a third and last time.

Mr. Walker made a motion to strike out the first section of said bill, which graduated the fees of constables as follows, on all sums by them collected of \$20 and under, 5 per cent; over \$20 and under \$50, four per cent, and over \$50 three per cent.,

And the question thereon was taken,

And determined in the negative;

There being

AYES— 4.

NOES—16.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Reynolds, Smith, Walker and Williams.—4.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Cain, Frey, Gammon, Garrett, Gray, Greene, of R., Green, of F., Howard, Huntsman, Lowry, Lytle, McMeans and Rucker.—16.

And so the said motion was lost;

Mr. Rucker then moved to so amend the first section as to allow "four per cent commission on all sums by them collected on executions issued by justices of the peace;"

And the question thereon was taken,

And it passed in the affirmative;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein;

In which amendment the house of representatives concurred, and acquainted the senate therewith by message;

The question was then taken,
 Shall the said bill pass?
 And determined in the affirmative;
 There being

AYES—11.

NOES— 8.

The ayes and noes being required,
 Those who voted in the affirmative, are;
 Mr. Speaker Hall, Frey, Gammon, Garrett,
 Gray, Greene, of R., Green, of F., Huntsman,
 Lowry, Rucker, and Williams.—11.

Those who voted in the negative, are;
 Mr. Bradford, Brown, Howard, Lytle, McMeans,
 Reynolds, Smith and Walker.—8.

And so the said bill passed, and was
Ordered to be enrolled.

Mr. McMeans laid upon the table the following
 resolution:—

Resolved, That the senate meet the house of
 representatives, in their hall, on Monday next, at
 half past 12 o'clock, for the purpose of electing
 an entry taker for Humphreys county.

The rule of the senate, requiring resolutions to
 lie one day upon the table, was suspended;

Said resolution was then read and adopted;

Ordered, That the clerk acquaint the house of
 representatives therewith, and ask their concur-
 rence therein.

Mr. Williams, from the judiciary committee, re-
 ported,

A bill to amend an act for the relief of John
 Grigsby, Senr. passed Oct. 18th, 1824;

Which was read a first time and passed.

The speaker appointed Mr. Frey and Mr. Smith,
 to be of the committee, to ascertain the expense
 of the present session of the general assembly;

And then the senate adjourned.

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MONDAY, DECEMBER 3rd, 1827.

Mr. Gammon presented a petition of sundry citizens of Sullivan county, praying that William Hawley be appointed a justice of the peace for said county;

Ordered, That said petition be referred to the committee on captains' companies and justices of the peace.

Mr. Lowry presented a petition of sundry citizens of Blount county, praying that the provisions of an act, more effectually to prevent gaming, may be extended to the crime of drunkenness;

Ordered. That said petition be referred to the committee of propositions and grievances.

Mr. Lowry presented a memorial of Josiah Danforth, praying that certificate warrants may be issued for a grant, No. 214, to Stokely Donaldson, for 100,000 acres, south of French-Broad and Holston, of which he is now owner, on the following conditions, to wit: one half of said certificate warrants to himself, ten thousand acres to the Theological Seminary in Maryville, and the balance to the use and benefit of the colleges, academies or common schools;

Ordered, That said memorial be referred to the committee on land claims.

Mr. Walker, from the committee on enrolled bills, reported, that they have examined and found to be truly enrolled,

An act to authorise Wm. W. Lea to build a mill dam on the Forked Deer river;

An act to reduce constables' fees;

An act for the benefit of George Brown;

An act to extend the benefits of an act for the relief of the citizens who entered lands ceded to Kentucky, under the act of 1823, making provisions for emerging vacant lands at twelve and one half cents per acre;

An act for the relief of Zachariah Sullins and William Hitchcock;

An act for the relief of the sheriffs of Hardin and Hickman counties;

An act to revive, continue and amend an act of the general assembly, passed in the year 1826, entitled "an act to authorize the county court of Anderson county, to build a house for the accommodation of the poor and for other purposes;"

An act for the benefit of David Clark;

An act for the relief of Thomas Simpson of Overton county;

An act for the benefit of John Collett, Joel Childress and Stephen Johnson;

An act for the relief of certain militia companies in the 89th regiment;

An act to authorise the county court of Carroll to establish toll bridges on Sandy river and Beaver creek;

An act to regulate the sittings of the county court of Jackson and other counties, and

An act to extend the terms of the circuit court of Davidson county, and to fix the time of holding the chancery court at McMinnville;

The speaker signed said enrolled bills;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

On motion of Mr. Frey,

The senate took up

A bill making an appropriation of money to defray the expenses of the 1st session of the 17th general assembly;

The question recurred upon the amendment of Mr. Walker, which had been laid upon the table with said bill, proposing to fix the compensation of future legislatures;

And the question thereon was taken,

And determined in the negative.

The said bill was then read a second time and passed.

Mr. Gammon, who had withdrawn for amendment,

A bill for the relief of such persons as hold lands under grants from North Carolina and Tennessee, returned the same with an amendment,

Which was read and adopted.

The said bill was then read a second time and passed.

A bill to appoint a commissioner on [the] part of the state, to purchase of the heirs and widow of Fallingwater McIntosh, the reservation claimed by them in the Hiwassee district,

Was read a second time.

Mr. Lowry offered an amendment in lieu of the whole bill, from the enacting clause, which directed the treasurer of East Tennessee, to refund to Henry Matlock the purchase money paid and interest and cost, for the land included in the said reservation,

Which was read and adopted.

On motion of Mr. Green, of F.,

Ordered, That said bill be referred to the committee on Indian reservations.

A message from the house of representatives, by Mr. Campbell, their clerk.

Mr. SPEAKER,

The house of representatives concur in your resolution to elect an entry-taker for the county of Humphries, this day, at half past twelve o'clock;

And then he withdrew.

The speaker and gentlemen of the senate repaired to the hall of the house of representatives, and were seated within the hall;

The two houses then proceeded by ballot, to the election of an entry taker for Humphries county, and upon collecting and counting out the ballots,

the speaker of the senate declared that William G. Hudson was duly elected entry-taker for the county of Humphries;

Whereupon, the speaker and gentlemen of the senate returned to their own chamber.

On motion of Mr. Howard,

The senate again resolved itself into a committee of the whole, on the bill for the purpose of funding the college and academy debt, and after some time spent therein, the committee arose, and Mr. Frey reported that they had again had said bill under consideration, and directed him to report the same with an amendment;

The said amendment was read and adopted;

Which provided that this act should not go into effect, or be in force, until after the first day of January, 1830;

On motion of Mr. Lowry,

Ordered, That said bill lie upon the table.

A bill to amend the 10th section of an act, entitled "an act for the better observation and keeping of the Lord's day, commonly called Sunday, and for the more effectual suppression of vice and immorality," passed in the year 1741;

Was read a second time and rejected;

A bill for the relief of Garbriel Fowlks, sheriff of Dickson county;

Was read a second time;

Mr. Huntsman offered an amendatory section to said bill, which gives to the sheriff of Hardeman county, six months from the first day of January next, to obtain his receipts and vouchers from the state and county treasurers;

Which amendment was adopted and the said bill passed a second time.

Mr. Rucker withdrew for amendment,

A bill to amend the judiciary system of this state.

Mr. McMeans withdrew for amendment,

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A bill for the benefit of Dover academy;

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The speaker of the house of representatives has signed enrolled bills entitled

An act for the relief of John Wilkerson;

An act to repeal all laws heretofore passed, authorising a change of venue in criminal cases;

An act for the benefit of John Brown, of Roane county;

An act for the regulation of the town of Tellico, in the county of Monroe;

An act to repeal the 2nd section of an act respecting the court house of Greene county, and for other purposes;

An act directing the mode of surveying occupant entries in the western district, and

An act to establish a town on the land of Jacob Moore, in McMinn county, and for other purposes,

And then he withdrew.

The speaker signed said enrolled bills;

Ordered, That the clerk deposit them in the office of the secretary of state.

On motion of Mr. Huntsman,

The senate took up and proceeded to the consideration of the report of the joint committee on banks, made on the 12th ult.,

And on the question to concur therein,

It was determined in the affirmative

There being

AYES—11.

NOES—7.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Frey, Gammon, Garrett, Gray, Greene, of R., Howard, Huntsman, Lytle, Smith.—11.

Those who voted in the negative, are;

Mr. Brown, Green of F., Lowry, Reynolds, Rucker, Walker and Williams.— 7.

And so the said report was concurred in:

Ordered, That the clerk acquaint the house of representatives therewith.

Mr. Smith laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That the committee appointed to make a contract with the Nashville bank for the redemption of her notes, be instructed to close said contract, agreeably to the propositions contained in their report of the 12th Nov. last, and that they invite the president and directors of the bank of the state to associate with them, such of her directors as may be necessary to aid in closing said contract;

According to a rule of the senate, said resolution lies one day upon the table.

Received from the house of representatives,

A bill to authorise John W. Simpson and James McKinley to open a turnpike road;

A bill for the relief of Christopher Brooks;

A bill for the benefit of Edward Mitchell;

A bill to amend the militia law, and make provisions for the regiment of cavalry attached to the 10th brigade;

Which bills were severally read a first time and passed.

Received from the house of representatives,

A bill to revive the 8th section of an act, entitled "an act prescribing the manner of listing lands for the payment of taxes in certain districts, and for other purposes;

Which was read a first time and rejected;

A bill for the benefit of Samuel Vest;

A bill to change the name of the town of Hardinsville in the county of Hardin to that of Savannah, and for other purposes;

A bill for the benefit of Abigail Nettles of Jackson county;

A bill for the relief of the heirs of John Groom, deceased;

A bill to explain the meaning and construction of certain words in the statutes of limitations now in force in this state;

A bill to continue the respective agencies of the bank of the state of Tennessee;

A bill for the relief of Charles M'Clung;

A bill for the relief of John S. Hardy;

A bill to authorise John Stone and James Ellege to open a turnpike road;

A bill to appoint additional trustees to the academy therein named;

A bill to appoint trustees to Dover academy;

A bill for the benefit of I Fields;

A bill to change the holding battalion musters in the 23d regiment of T. M.

A bill respecting a volunteer company in the 53d regiment, denominated the Guards of the 53d regiment;

A bill to establish a female academy at Bolivar in the county of Hardeman;

A bill to appoint trustees to Transmontania academy in the county of Sumner, and

A bill to authorise the Washington guards to constitute themselves into a company of cavalry,

Were severally read a second time and passed.

A bill to amend an act, for the benefit of the citizens of Cade's cove;

Was read a third time and passed;

A bill to incorporate the academies therein named;

A bill to appoint additional trustees for Campbell academy in the county of Wilson;

A bill for the benefit of Tennessee academy in the county of Rhea; and,

A bill to restore Thomas Rash and John Shirk to the privileges of citizenship,

Were severally read a third and last time, passed and,

Ordered, To be enrolled,

Mr. Greene of R, withdrew for amendment

A bill to authorise the entering of the Islands in the Tennessee river;

Mr. Gammon withdrew for amendment,

A bill for the benefit of the citizens of Sullivan county.

And then the senate adjourned.

TUESDAY, DECEMBER 4th, 1827.

A resolution laid upon the table on yesterday by Mr. Smith, directing the committee appointed to receive propositions from the Nashville bank for the redemption of their notes, to close the contract agreeably to the terms proposed in the report of the committee on the 12th ult.;

Was taken up, read, and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

On motion of Mr. Garrett,

A resolution laid upon the table by Mr. Garrett on the 29th ult., instructing the committee on banks before they close the contract with the Nashville bank for the redemption of their notes, to require said bank to insure the real estate to be conveyed in trust, against destruction by fire,

Was taken up and read,

And on the question to adopt said resolution,

It was determined in the negative;

And so the said resolution was not adopted.

Mr. Brown from the committee on enrolled bills,

reported, that they have examined and found to be truly enrolled,

An act more effectually to provide for the safe keeping the estate of idiots and lunatics;

An act for the relief of citizens of Sumner and Smith counties, residing on the waters of Bledsoe and Goose creeks;

An act, for the relief of the owners of lots in the town of Philadelphia, in the county of Monroe;

An act to appoint commissioners for the town of Sparta; and,

An act authorising the creation of volunteer companies,

The speaker signed said enrolled bills ;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

Mr Greene of R., who had withdrawn

A bill to authorise the entering the Islands in Tennessee river, returned the same with an amendment,

Which was read and adopted,

The said bill was then read a first time and passed.

On motion Mr. Smith,

A bill more effectually to provide for holding circuit courts in this state,

Was taken up, read a third time and passed.

On motion of Mr. Williams,

A bill for the relief of Robert Gamble,

Was taken up, read a second time and passed.

On motion of Mr. Lowry,

A bill for the relief of Thomas White and others therein named;

Was taken up, read a second time and passed,

A bill for the relief of Wm. R. Davis,

Was read a third and last time;

And on the question

Shall the said bill pass?

It was determined in the affirmative;
There being

AYES—11.

NOES—7.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Gray, Greene, of R., Howard, Huntsman, Lowry, Lytle, Reynolds, Walker and Williams.—11.

Those who voted in the negative, are;

Mr. Bradford, Frey, Gammon, Green, of F., M'Means, Rucker, and Smith—7.

And so the said bill passed, and was

Ordered. To be enrolled.

Mr M'Means, who had withdrew for amendment

A bill for the benefit of Dover academy, returned the same with an amendment, which was adopted;

The said bill was then read a second time,

And on the question,

Shall the said bill pass?

It was determined in the negative;

There being

AYES—7.

NOES—10.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Garrett, Gray, Howard, Lowry, Lytle, M'Means and Rucker.—7.

Those who voted in the negative, are;

Mr. Speaker Hall, Frey, Gammon, Greene, of R., Green, of F., Huntsman, Reynolds, Smith, Walker and Williams.—10.

And so the said bill was rejected.

The senate took up on its third and last reading;
A bill to define the liability of endorsers on promisory notes and other instruments for the payment of money.

Mr. Bradford made a motion to lay said bill upon the table 'till the first day of January next.

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—11.

NOES— 8.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford, Brown, Gray, Green, of F., Howard, Huntsman, Lowry, Lytle, Rucker, Smith and Williams —11.

Those who voted in the negative, are;

Mr. Speaker Hall, Frey, Gammon, Garrett, Greene, of R., M'Means, Reynolds and Walker —8.

And so the said bill was

Ordered, To be laid upon the table 'till the first day of January next.

A message from the house of representatives, by Mr. Campbell, their clerk,

MR. SPEAKER;

The house of representatives concur in your resolutions, appointing justices of the peace for the counties of Marion and Roane—also, that the committee appointed to receive propositions from the Nashville bank, for the redemption of their notes, held by the state, close a contract with said bank agreeably to the terms contained in their report of the 12th ult. They also concur in your amendment to

A bill to explain some of the statutes of this state against gaming, and non-concur in your amendment to

A bill for the relief of Allen D. Gentry;

They have adopted the following resolution, in which they ask your concurrence;

RESOLVED, by the General Assembly of the state of Tennessee, That the following persons be, and they

are, hereby appointed justices of the peace for the following counties, to wit:

For the county [of] Warren, Solomon Redmond, Woodson Northweb, Amos Smith, Isaac Hurst and Samuel Lance;

For the county of Sevier, Jacob Holland;

For the county of Morgan, Isaac Vanwinkle, Robert McCart, and David Prewitt;

For the county of Roane. James Crumley, William Read and John Forester.

Resolved, That John Armstrong warrant No 1389 for 3000 acres, to Richard Henderson, George Doherty, Samuel Henderson and Robert Burton, be referred to the commissioner of land claims for adjudication.

I am directed to deliver to the senate a communication from his excellency the Governor;

And then he withdrew.

According to a rule of the senate, the resolutions received from the house of representatives lie one day upon the table.

The communication from his excellency the Governor, was then read at the clerk's table, as follows, to wit:

Gentlemen of the Senate,

and of the House of Representatives:

In obedience to a resolution of the general assembly of the 7th ult. requiring "a statement, shewing the number and description of arms belonging to the state," &c. I have the honor to submit the enclosed letter, received from my predecessor in office.

Since the first day of October, 40 stand of arms have been issued to Capt. Dew, of Wilson county, and 60 to Capt. Edmonson, of Warren county.— These, added to the 1149 previously distributed, will amount to 1249 muskets, now in the hands of volunteer companies.

Experience has shewn, that the law, pointing

HH SENATE.

out the mode of distributing the public arms is defective in some of its provisions, and I would, therefore, respectfully call the attention of the legislature to that subject.

SAM HOUSTON.

Executive Office, Nashville, 3d Dec., 1827.

Ordered, That said communication and accompanying document be referred to the military committee.

Mr. Rucker, who had withdrawn

A bill to amend the judiciary system of this state, returned the same without amendment, and

On motion of Mr. Rucker,

The senate resolved themselves into a committee of the whole, on said bill, and after some time spent in the consideration thereof, the committee arose, and Mr. Lytle reported, that they had had said bill under consideration, and made some progress therein, and directed him to ask leave to sit again;

Ordered, That the committee have leave to sit again.

A bill to amend and reduce into one, the several acts concerning the county revenue;

Was read a second time, amended and passed.

A bill to explain some of the statutes of this state against gaming, which had been amended by message, and the caption altered to

A bill more effectually to suppress the odious vice of gaming,

Was read a third and last time, passed, and

Ordered to be enrolled.

A bill for the relief of the heirs of persons dying intestate;

A bill for the relief of Wm. Hart, clerk of the circuit court of Smith county;

A bill to establish a female academy in the town of Jonesboro', in the county of Washington, and

A bill to extend the charter of the turnpike road

from Sparta to Kimmer's, now owned by Jesse Lincoln and Reuben Ross;

Were severally read a second time and passed.

A bill for the relief of Wm. Houston and Jacob Baker;

A bill to establish a female academy in the town of Greeneville;

A bill making compensation to the persons therein named;

A bill to alter the name of Polly Capalinger to that of Polly Trout, and for other purposes;

A bill for the benefit of Martha Childress, widow of Thomas C. Childress, dead,;

Were severally read a third time, and passed.

A bill to authorise the volunteer companies attached to the different regiments composing the 4th brigade to form themselves into a volunteer regiment;

A bill to authorise Thomas Durham to build a fish trap on the Caney Fork, and

A bill for the relief of the sheriffs of Hickman and Hardeman counties;

Were severally read a third and last time, passed, and

Ordered to be enrolled.

Mr. Walker, who had withdrawn for amendment,

A bill to alter the line between the counties of Hickman and returned the same with an amendment,

Which was adopted;

And the caption changed to read,

A bill for the relief of John Brown and others;

The said bill as amended, was read a second time and passed.

The senate took up on its third and last reading,

A bill to authorise lotteries to raise money for the purpose of opening and improving the naviga-

tion of Stone's river; and to build a bridge across Red river.

Mr. Rucker and Mr. Green, of F., each offered amendments to said bill,

Which were adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Gray withdrew for amendment,

A bill for the relief of Daniel Carter or his rightful assignee.

Mr. Bradford laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the State of Tennessee, That the secretary of state be requested to make out a caption of all the public acts that may be passed at the present session of the general assembly, together with a brief abstract of their provisions, and that two thousand copies be printed for the use of the members of the senate and four thousand for the use of the members of the house of representatives.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended,

The said resolution was then read, and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein;

And then the senate adjourned.

WEDNESDAY, DECEMBER 5th, 1827.

Mr. Rucker presented a certificate warrant, issued by the register of West Tennessee, No. 1024, to Robert Kirk, dated 26th May, 1812, accompanied by a letter of Jno. D. Martin, asking that said

certificate may be referred to the commissioner for adjudication;

Ordered, That said certificate be referred to the committee on land claims.

Mr. Huntsman presented a letter from John T. Brown, accompanied by a certificate of William Hill, secretary of State of North Carolina, asking a re-adjudication of warrant, No. 1098, for 640 acres, also, sundry documents shewing interferences of land claims, belonging to the heirs of Bennet Searcy, decd.;

Ordered, That said warrant and documents be referred to the committee on land claims.

Mr. Huntsman, presented a return from the clerk of the county court of Henderson county, of the amount of taxes collected in said county for the year 1826;

Ordered, That said return be referred to the committee of finance.

Mr. Reynolds, from the select committee, to which had been referred,

A bill to establish a medical society in the state of Tennessee, reported the same with several amendments,

Which were adopted;

The said bill was then read a second time;

And on the question, shall the said bill pass?

It was determined in the affirmative;

There being

AYES—18.

NOES— 5.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Gray, Greene, of R., Green, of F., Howard, Huntsman, Lowry, Lytle, Reynolds and Walker—13.

Those who voted in the negative, are;

Mr. Bradford, Garrett, Rucker, Smith and Williams—5.

And so the said bill passed.

Mr. Howard made a motion to re-consider,

A bill to define the liability of endorsers on promissory notes, and other instruments for the payment of money;

Which, on yesterday, was ordered to be laid up on the table till the first day of January;

And the question thereon was taken,

And determined in the affirmative;

And so the said bill was re-considered.

Mr. Howard offered an amendment in lieu of the whole bill, providing, that

In all cases (except upon bills of exchange or notes payable in bank) where any negotiable instrument may be transferred by assignment, or by delivery, where the note or other instrument is payable to the payer or bearer, after the first day of July next; the notice hereafter prescribed shall be sufficient to secure the liability of the assignor or assignors thereof: that is to say, in all cases where the holder and assignor reside in the same county, demand shall be made, and notice of non-payment be given within ten days after such negotiable paper falls due; or if due at the time of assignment, demand shall be made and notice of non-payment given, within ten days after the assignment, by the holder thereof. If the holder and assignor reside in different counties, and within the limits of this state, demand made and notice given within thirty days shall be sufficient to make the assignor liable, as they are now liable, when due diligence is used under existing laws. The notice required may be transmitted by mail, to the assignor, directed to him in the county where he resides, or in such other way as the holder of a note may choose—and that if the holder of any negotiable paper shall commence suit thereon, in the circuit or county court, in which the maker or obligor resides, returnable to the first term after

due, notice of non-payment shall not be necessary.

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—12.

NOES— 6.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Garrett, Gray, Green, of F., Howard, Huntsman, Lowry, Reynolds and Rucker.—12,

Those who voted in the negative, are;

Mr. Gammon, Greene of R., Lytle, Smith, Walker and Williams.—6.

And so the said amendment was adopted.

Mr. Bradford then moved that said bill be laid upon the table until to morrow, and that it be printed for the consideration [of] the members of both branches of the legislature.

And the question thereon was taken,

And determined in the negative;

There being

AYES— 7.

NOES—11.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Bradford, Brown, Frey, Gray, Green, of F., Reynolds and Smith —7.

Those who voted in the negative, are;

Mr. Speaker Hall, Gammon, Garrett, Greene, of R., Howard, Huntsman, Lowry, Lytle, Rucker, Walker and Williams.—11.

And so the said motion was lost;

The said bill being on its third and last reading

Ordered, That the clerk acquaint the house of representatives with the adoption of said amendment, and, ask their concurrence therein;

A resolution received from the house of representatives on yesterday, appointing justices of the

peace for the counties of Warren, Sevier, Morgan and Roane,

Was taken up, read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

A resolution, received from the house of representatives on yesterday, referring John Armstrong warrant No. 1589 to the commissioners for adjudication,

Was taken up and read.

On motion of Mr. Walker,

Ordered, That said resolution be referred to the committee on land claims.

Mr. Gray who had withdrawn,

A bill for the relief of Daniel Carter, or his rightful assignee returned the same, with an amendment, which was adopted.

The said bill was then read a second time and passed.

A bill to prevent judgments from having a lien beyond the limits of the jurisdiction where such judgments are obtained,

Was read a third time,

Mr. Howard, offered an amendment in lieu of the whole bill, which was read;

And the question thereon was taken,

And determined in the negative;

The question was then taken,

Shall the said bill pass?

And determined in the negative;

There being

AYES—9.

NOES—9.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Bradford, Garrett, Gray, Howard, Huntsman, Lowry, Lytle, Rucker, and Williams,—9.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Greene, of R., Green, of F., Reynolds, Smith and Walker.—9.

And so the said bill was rejected, for according to a rule of the senate, where there is an equal division of the vote, the question is lost.

A bill supplemental to "an act to provide the manner in which costs in criminal cases shall be paid and for other purposes;

Mr. Green, of F., offered an amendment in lieu of the whole bill, which was adopted;

The said bill was then read a second time and passed;

A message from the house of Representatives, by Mr. Campbell their clerk.

Mr. SPEAKER,

The house of representatives concur in your amendments to,

A bill for the relief of Allen D. Gentry, also to

A bill to authorise lotteries to raise money to improve the navigation of Stone's river and build a bridge across Red river;

They also, concur in your resolution that the secretary of state prepare a caption of all public acts, with [a] brief of their provisions, and that the same be printed for the use of the members;

They have adopted the following resolution, in which they ask your concurrence;

Resolved, That a joint select committee be appointed and instructed to draft a memorial to the congress of the United State, praying a relinquishment of the vacant land, south and west of the congressional reservation line.

RESOLVED, by the General Assembly of the state of Tennessee, That the following persons, be, and they are hereby appointed justices of the peace for the following counties, to wit:—

For the county of McNairy, Thomas Lane, James Campbell, Holloway Sanders, Samuel D. Pace,

James B. Keith, Benjamin Browning and Benjamin Sanders;

For the county of Rhea, Hile Buteram;

For the county of Fayette, James H. Graves, Samuel Erwin, Wm. F. Hodge, Jonathan Burlison, Samuel Johnson, Levin B. Mitchell, Miles Beauford and Isaac Yourie;

For the county of Tipton, John Champion, Geo. W. Frazier and Uriah Bobit;

For the county of M'Minn, Jacob Gouldon, Jas. H. Fyffe, Jesse Grissom, Joseph M'Millan, Wyley Lassifer, Peter Hambright, John S. Wilson and Marshall W. Cunningham;

For the county of White, Randolph Ross, John Pellington James Strain, Jesse Scoggin, James T. Holeman, John W. Ford, William Wisdom and John Rose;

For the county of Lincoln, Jacob Silvertooth and William Smith.

The speaker has signed enrolled bills entitled;

An act to provide the manner in which costs in criminal cases shall be paid, and for other purposes;

An act, to alter the time of holding battalion musters in the 78th regiment and regimental musters in the 42nd regiment; and,

An an, to amend an act, for the benefit of the citizens of Cad's cove;

Which I am directed to deliver to the senate to receive the signature of their speaker.

And then he withdrew.

According to a rule of the senate, said resolutions lies one day upon the table;

The speaker, signed the enrolled bills received from the house of representatives;

Ordered, That the clerk deposit them in the office of the secretary of state;

Mr. Green, of F., who had withdrawn

A bill to improve the navigation of the Caney Fork returned the same with an amendment,
Which was adopted;

The said bill was then read a second time and passed.

On motion of Mr. Rucker,

The senate again resolved itself into a committee of the whole, on

"A bill to amend the judiciary system of this state," and after some time spent in the consideration thereof, the committee arose, and Mr. Lytle, reported that they had again had said bill under consideration and directed him to report the same and recommend that the third section be stricken out, and that the bill then be laid upon the table until the first day of January next.

And on the question to concur in said report,
It was determined in the affirmative;

There being

AYES—10.

NOES—8.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Bradford, Frey, Gammon, Gray, Green, of F., Huntsman, Lowry, Lytle, Walker and Williams —10.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Garrett, Greene, of R., Howard, Reynolds, Rucker and Smith.—8.

And so the the third section was stricken out, and the said bill was then

Ordered, To be laid upon the table 'till the first day of January next.

On motion of Mr. Howard,

A bill for the modification of the supreme court and to abolish the present system of chancery courts, which had heretofore been referred to the judiciary committee, and reported on by them, was again recommitted to said committee,

A bill more effectually to provide for the reporting the decisions of the supreme court,

Was read a second time;

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES— 9.

NOES— 7.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Garrett, Green, of F., Howard, Huntsman, Lowry and Williams —9.

Those who voted in the negative, are;

Mr. Bradford, Gammon, Greene, of R., Lytle, Reynolds, Rucker and Walker.—7.

And so the said bill passed.

A bill to authorise the circuit courts to divorce the persons therein named,

Was read a third time.

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—12.

NOES— 4.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gammon, Garrett, Greene, of R., Huntsman, Lowry, Lytle, Rucker and Walker.—12.

Those who voted in the negative, are;

Mr. Green, of F. Howard, Smith and Williams.—4.

And so the said bill passed.

A bill for the benefit of the Unicoi turnpike company,

Was read a second time;

And on the question,

Shall the said bill pass?
 And was determined in the negative;
 There being

AYES— 6.

NOES—11.

The ayes and noes being required;
 Those who voted in the affirmative, are;
 Mr. Green, of F., Howard, Huntsman, Lowry,
 Lytle and Williams.—6.

Those who voted in the negative, are;
 Mr. Speaker Hall, Brown, Bradford, Frey, Gam-
 mon, Gray, Greene, of R., Reynolds, Rucker, Smith
 and Walker.—11.

And so the said bill was rejected.

A bill for the relief of William C. Britton;

A bill for the relief of John Jett and others;

A bill for the benefit of Benjamin Bonds;

A bill to establish the lines between the counties
 therein named;

A bill to repeal an act, entitled "an act to con-
 firm and make good all grants issued by the state
 of North Carolina on entries and warrants made
 west of Brown's line," passed 9th December,
 1826;

A bill to alter a county line between the coun-
 ties of Giles and Maury;

A bill to give jurisdiction to justices of the
 peace under the estray laws;

A bill to repeal an act entitled "an act to incor-
 porate the Hiwassee Canal company;

A bill for the relief of the clerks of the several
 courts in Smith county.

A bill for the benefit of the commissioners of
 the town of Tellico;

A bill to establish a Hospital in the county of
 Shelby;

A bill providing compensation for the council
 for the state in certain Indian reservation suits;

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A bill to prescribe the mode of obtaining appeals in certain cases;

A bill for the benefit of Joseph Byrd, sen.

A bill for the relief of the sheriff of Lincoln county;

A bill for the relief of Martha Callis, wife of Abel Callis of Wilson county;

A bill for the relief of Eve Sherrell, wife of Samuel Sherrell of Wilson county; and,

A bill for the benefit of Thomas Bradley former sheriff of Wilson county;

Were severally read a second time, and passed.

A bill for the benefit of the persons therein named;

A bill requiring the collector of the revenue in Robertson county to pay over certain monies;

A bill to extend the benefits of an act, entitled "an act respecting the improvements of land" passed 18th Oct., 1813 to the people of the Hiwassee district;

A bill for the relief of William Lawrence;

A bill to provide for closing the business belonging to the office of the surveyor general of the 3d district;

A bill for the relief of the heirs of James Campbell, dec'd. and also, the heirs of John Harrison dec'd. of Lincoln county;

A bill for the benefit of the estate of John Porter, dec'd.

A bill to repeal all laws giving tax fees to attorneys at law on motions in certain cases;

A bill to amend an act, passed 1825, for the relief of Richard Gamble, an idiot of Sullivan county;

A bill to alter the time of holding the battalion musters in the county of Henry;

A bill to amend an act, entitled "an act to authorise the county court of Davidson to lay a tax for the purpose of building a court house;

A bill to amend an act, passed at Murfreesboro' 4th Nov 1825, entitled "an act, more effectually to define the jurisdiction of courts of equity; and

A bill to extend the provisions of an act passed at Murfreesboro' August 15th, 1822;

Were severally read a third time and passed;

A bill to authorise lotteries to raise money for the purpose of improving the navigation of Stone's river; and to build a bridge across Red river;

A bill to change the name of the town of Hardinsville in the county of Hardin to that of Savannah, and for other purposes;

A bill to fix the fees of officers for removing criminals from one county to another;

A bill to alter the names of persons and legitimate the same, herein named;

A bill for the relief of Snowden Hickman of Wilson county; and,

A bill for the benefit of William Meigs and others;

Were severally read a third and last time, passed, and

Ordered, To be enrolled.

On motion of Mr. Gammon

A bill to prevent free persons of color from migrating into this state, and for other purposes;

Which had been laid upon the table, was taken up, read a first time and passed.

On motion

Ordered, That Mr. Smith and Mr. Green, of F., be discharged from the performance of duty in the committee on banks.

On motion of Mr. Howard,

Ordered, That Mr. Smith, be added to the committee appointed to make a contract with the president and directors of the Nashville bank for the redemption of their notes held by the state.

Mr. Rucker, laid upon the table the following resolutions:—

1. *Resolved*, That all bills and resolutions of a private or local character, be read in the order in which they stand on the speaker's table and in no other.

2. *Resolved*, by the *General Assembly of the state of Tennessee*, That the president and directors of the state of Tennessee, so soon as a contract is made with the Nashville bank for the redemption of their paper, now in possession of the new bank and such as may hereafter come into their possession, to loan upon the certificates which may be given by said Nashville bank by virtue of said contract, to the debtors of the Nashville bank, for contracts made with the branches of said bank, and with the mother bank as nearly as practicable in the proportion, said debts bear to each other, as appears by a statement made by said bank to this general assembly on the 17th Nov. last, provided said debtors present their notes, with good and satisfactory security to said directory, agreeably to the terms of said contract, on or before the first day of February next.

According to a rule of the senate, said resolutions lie one day upon the table.

Mr Brown from the joint select committee appointed, to examine the revised laws as made by Messrs. Haywood and Cobbs, and to enquire into the propriety, and best mode of publishing and distributing the same, made the following

REPORT,

That in the opinion of the committee said revision should be published without any legislative declaration, that the same contains all the laws of the land, or that all the laws embraced in it, are in force and use in this state; such a declaration should more properly be made at a future session when the work had undergone the examination of the public, and the scrutiny of our judicial tribunals—such a declaration, it is conceived, ought

only to be made on such a personal examination of the work as is commonly given to bills proposed for enactment and not on the examination of any committee, however full and laborious; your committee however entertain such an opinion of the accuracy and ability, with which said revisal has been made, that they do not hesitate to recommend the publication and distribution thereof, without such legislative declaration. The expense of such publication ought not to constitute an objection, when the great importance of disseminating correct knowledge of our laws is duly weighed and considered. That expense it is believed, will not be as great as is commonly supposed. From inquiries made of persons acquainted with the subject, it is believed by your committee, that the copy right could be sold on such terms as to get a copy of the first volume for each justice of the peace in the state, and of both volumes for each clerk of our courts of record and the requisite number for the secretaries office, at an expense, not much exceeding the sum of three thousand dollars. Entertaining these opinions, they beg leave to report

A bill for the publication and distribution of the work.

A. V. BROWN, *Chm.*

The bill reported by said committee, entitled

A bill to provide for the publication of Haywood and Cobbs' revisal of the laws of Tennessee;

Was read a first time, and passed.

And then the senate adjourned.

THURSDAY, DECEMBER 6th, 1827.

Mr. Walker, from the committee to whom was assigned the duty of waiting on his excellency, the

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ex-governor, William Carroll, and to express to him the high sense which the legislature entertain of the ability and impartiality with which he administered the affairs of the state, whilst he presided over it as chief magistrate, reported, that in discharge of the duty, thus assigned them, the committee addressed the following letter to General Carroll:

Sir,

We are instructed by the two houses of the Legislature, to express to you the high sense entertained by them for the ability and impartiality with which you have administered the affairs of this state since you have presided over it as chief magistrate. Individually, the committee have great pleasure in being the organs of this communication, in which their feelings most cordially unite.

To which they received the following reply:

Gentlemen:

This distinguished evidence of approbation, on the part of the legislature, is received with the deepest sense of gratitude, and is a double recompense for the feeble services rendered by me as chief magistrate of the state. The members of the legislature have my earnest prayer for their future happiness.

5th Dec. 1827.

All which is respectfully submitted.

JOEL WALKER, *Ch'n.*

The said report was read at the clerk's table, and

Ordered to be sent to the house of representatives.

Mr. Walker, from the committee on enrolled bills, reported, that the committee had examined and found to be truly enrolled,

An act to authorise Thomas Durham and others to build a fish trap on Caney Fork;

An act for the benefit of Tennessee academy in the county of Rhea;

An act incorporating the academies therein named;

An act to appoint additional trustees for Campbell academy, in the county of Wilson;

An act to restore Thomas Rash and John Shirk to the privileges of citizenship;

An act for the relief of Wm. R. Davis;

An act to prescribe the fees of sheriffs in removing prisoners from one county to another;

An act more effectually to suppress the odious vice of gaming;

An act to change the name of the town of Hardinsville, in the county of Hardin, to that of Savannah;

An act for the relief of the sheriffs of Hickman and Hardin counties, and

An act to authorise the volunteer companies attached to the different regiments in the 4th brigade to form themselves into a volunteer regiment;

The speaker signed said enrolled bills;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

Mr. Williams presented a petition of Alfred Harris, a free man of color, praying the passage of a law to authorise him to marry a white woman;

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Williams, from the judiciary committee, to which had been referred,

A resolution directing the entry-taker of the Hiwassee district, to commence actions of ejectment against persons in possession of any tract of school land in said district, made an unfavorable report thereon,

Which was read and concurred in;

Mr. Williams, from the same committee, to which had been re-committed,

A bill for the modification of the supreme court, and to abolish the present system of chancery courts, reported the same, with an amendment in lieu of the whole bill,

Which was read and adopted.

Mr. Smith made a motion to strike out the last section of said bill, which established a new judicial circuit, to be composed of the counties of Warren, Wilson, Rutherford and Franklin, and insert a section forming a circuit to be composed of the counties of Franklin, Warren, White, Overton, Jackson and Fentress, and to form the third circuit of the counties of Smith, Wilson and Rutherford;

And the question thereon was taken,

And determined in the negative;

There being

AYES— 6.

NOES—10.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Frey, Gray, Huntsman, Lytle, Smith and Walker.—6.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Gammon, Greene, of R., Howard, Lowry, Reynolds, Rucker and Williams —10.

And so the said motion was lost;

Mr. Bradford then made a motion to strike out the "county of Wilson," in the circuit and insert the "county of Bedford" in lieu thereof;

And the question thereon was taken,

And it passed in the affirmative;

And so the said amendment was made.

On motion of Mr. Reynolds,

Ordered, That said bill lie upon the table.

A resolution laid upon the table, on yesterday,

by Mr. Rucker, requiring local bills to be read in a particular order.

Was taken up, read and adopted.

A resolution laid upon the table, on yesterday, by Mr. Rucker, directing the president and directors to loan, on the certificate given by the president and directors of the Nashville bank, in certain proportions to the debtors to said bank;

Was taken up, read and rejected.

A resolution received from the house of representatives on yesterday, to appoint a committee to memorialize congress for a relinquishment of the vacant soil south and west of the congressional reservation line;

Was taken up, read and non-concurred in.

A resolution from the house of representatives appointing justices of the [peace,]

Was taken up and read, and so much thereof [as] appoints justices of the peace for the counties of McNairy, Fayette, Tipton and White, was concurred in, and so much thereof as appoints justices of the peace for the counties of Rhea, McMinn and Lincoln, was laid upon the table;

A bill providing compensation to the persons therein named, for revising the laws of this state,

Was read a third time.

Mr. Rucker made a motion to amend said bill, by striking out \$1500 as compensation to Robert L. Cobbs and insert \$1000; also, strike out \$750 as compensation to Judge Haywood and insert \$500, and also, to strike out \$750 as compensation to Thomas Haywood and insert \$500, for revising the laws of this state;

And the question thereon was taken,

And determined in the negative;

There being

AYES— 6
NOES— 8.

The ayes and noes being required;

Those who voted in the affirmative, are;
Mr. Garrett, Gray, Greene, of R., Howard, Ruck-
er and Williams.—6.

Those who voted in the negative, are;
Mr. Speaker Hall, Brown, Frey, Gammon,
Green, of F., Lowry, Reynolds and Walker.—8.

And so the said motion was lost.

The said bill was then passed a third time.

Mr. Gammon returned,

A bill for the benefit of the citizens of Sullivan
county, with an amendment,

Which was adopted.

The said bill was then read a second time and
passed.

On motion of Mr. Green, of F.,

The senate took up

A bill appointing a fund for the support of com-
mon schools.

Mr. Howard made a motion to amend said bill
by reinstating the one half of the principal sum
already received from the sales of the Hiwassee
lands, as excepted from appropriation, also to
strike out a part of the second section, and all of
the 3rd, 4th and 5th section;

And the question thereon was taken,

And it passed in the affirmative.

And so the said amendments were made.

Mr. Bradford then made a motion, further to
amend said bill by striking out of the first sections,
the words, "all lands which have heretofore been
appropriated in this state to the use of schools,"
and "all the rents and net proceeds of all the
school lands in this state, which have accrued
and have not already been appropriated, as well as
all which will hereafter accrue;"

And the question thereon was taken,

And determined in the negative;

There being

AYES— 5.

NOES—18.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Bradford, Greene, of R., Huntsman, Lowry and Williams.—5.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Garrett, Gray, Green, of F., Howard, Lytle, Reynolds, Rucker, Smith and Walker.—13

And so the said motion was lost;

Mr. Lowry then made a motion to further amend said bill by striking out so much thereof as appropriates the balance of the debt due from the citizens of the Hiwassee [district] to the support of common schools.

And the question thereon was taken,

And determined in the negative;

There being

AYES—4.

NOES—13.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Greene, of R., Lowry, Reynolds and Williams.—4.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gammon, Garrett, Gray, Green of F., Howard, Huntsman, Lytle, Rucker, Smith and Walker.—14.

And so the said motion was lost

The said bill, as amended, was then read a second [time;]

And on the question

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—16.

NOES—2.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gam-

mon, Garrett, Gray, Greene, of R., Green, of F., Howard, Huntsman, Lytle, Reynolds, Rucker, Smith and Walker.—16.

Those who voted in the negative, are;

Mr. Lowry and Williams —2.

And so the said bill passed.

A message from the house of representatives, by Mr. Campbell, their clerk.

Mr. SPEAKER,

The house of representatives non-concur in your amendment to a bill supplemental to an act establishing academies in the counties of Bledsoe and Marion;

The speaker has signed enrolled bills, entitled, An act to alter the name of Polly Capalinger to that of Polly Trout, and for other purposes;

An act making compensation to the persons therein named;

An act to establish a female academy at Greeneville; and

An act for the relief of Wm. Houston and Jacob Baker;

Which I am directed to deliver to the senate to receive the signature of their speaker.

And then he withdrew.

The speaker, signed said enrolled bills;

Ordered, That the clerk deposit them in the office of the secretary of state.

Mr. Howard laid upon the table the following resolution:—

RESOLVED, by the *General Assembly of the State of Tennessee*, That the governor of the state procure from every state in this union, where a system of common school education has been adopted, the plan upon which they have been severally adopted; and, also, all the information which he may be enabled to obtain, with regard to their operation; and that he submit a detailed statement of such information to the next session of this general assembly;

According to a rule of the senate, said resolution lies one day upon the table.

Mr. Howard made a motion that the senate recede from their proposed amendment to

A bill supplemental to an act, establishing academies in the counties of Bledsoe and Marion, which amendment had been non-concurred-in by the house of representatives.

And the question thereon was taken,
And determined in the negative;

There being

AYES— 8
NOES— 9.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Garrett, Gray, Greene, of R., Green, of F., Howard, Lowry, Lytle and Rucker.—8.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gammon, Reynolds, Smith, Walker and Williams.—9.

And so said amendment was adhered to;

Ordered, That the clerk acquaint the house of representatives therewith.

A bill to establish precinct elections in the counties of White and Carter;

Was read a third and last time, passed, and

Ordered, To be enrolled.

On motion of Mr. Howard,

The senate again took up and proceeded to the consideration of

A bill for the modification of the supreme court, and to abolish the present system of chancery courts.

Mr. Brown made a motion to strike out the first and second sections of said bill, which abolished the present system of chancery courts; organized the supreme court, to be held by three judges, and gave to the circuit courts exclusive original equity jurisdiction, and provided for the transfer

of causes now pending in the several chancery courts, to their proper counties, for decision in the circuit courts;

And the question thereon was taken,

And determined in the affirmative;

There being

AYES— 9.

NOES— 8.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Brown, Frey, Greene of R., Green, of F., Huntsman, Lowry, Lytle, Reynolds and Walker.—9.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Gammon, Garrett, Gray, Howard, Rucker and Williams.—8.

And so the said sections were stricken out;

Mr. Brown then made a motion to strike out the last section, which established a new judicial circuit;

And the question thereon was taken,

And it passed in the affirmative;

And so the said section was stricken out;

The said bill, as amended, was then read a second time and passed.

Mr. Brown laid upon the table the following resolution:—

Resolved, That the senate meet the house of representatives, in their hall, on Saturday next, for the purpose of filling the vacancies now existing in the supreme court of errors and appeals;

According to a rule of the senate, said resolution lies one day upon the table;

And then the senate adjourned.



FRIDAY, DECEMBER 7th, 1827.

Mr. Williams, from the judiciary committee reported,

A bill directing the treasurers to employ counsel to defend certain suits;

Which was read a first time and passed.

A resolution laid upon the table on yesterday, requiring the governor to collect certain information on the subject of common schools,

Was taken up, read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A resolution laid upon the table on yesterday, by Mr. Brown, proposing to elect judges of the supreme court on to morrow,

Was taken [up,] read and

On motion of Mr. Brown,

Ordered, That said resolution lie upon the table.

Mr. Gammon, who had withdrawn

A bill [to] appoint commissioners to run and mark the line between the counties of Hawkins and Sullivan, returned the same with an amendment,

Which was read and adopted;

The said bill was then read a second time and passed.

A bill to define the compensation to the public printers of this state,

Was read a second time, and

On motion of Mr. Bradford, amended and passed.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The house of representatives again non-concur in your amendment to

A bill supplemental to an act establishing academies in the counties of Bledsoe and Marion,

And then he withdrew.

The said message was read at the clerk's table;

Mr. Reynolds made a motion that said bill be

laid upon the table 'till the first day of January next;

And the question thereon was taken,
And determined in the affirmative;
There being

AYES—11.

NOES— 7.

The ayes and noes being required,
Those who voted in the affirmative; are,
Mr. Speaker Hall, Bradford, Brown, Frey, Gammon, Gray, Huntsman, Reynolds, Smith, Walker and Williams.—11.

Those who voted in the negative; are,
Mr. Garrett, Greene, of R., Green, of F., Howard, Lowry, Lytle and Rucker.—7.

And so the said bill was,
Ordered to be laid upon the table 'till the 1st day of January.

A bill for the improvement of the navigation of Tennessee river;

Was read a second time;

And on the question,
Shall the said bill pass?

It was determined in the negative;

There being

AYES— 4.

NOES—14.

The ayes and noes being required;
Those who voted in the affirmative, are;
Mr. Greene, of R., Howard, Lowry and Williams.—4.

Those who voted in the negative, are;
Mr. Speaker Hall, Bradford, Brown, Frey, Gammon, Garrett, Gray, Green, of F., Huntsman, Lytle, Reynolds, Rucker, Smith and Walker.—14.

And so the said bill was rejected.

A message from the house of representatives, by
Mr. Campbell, their clerk,

MR. SPEAKER;

The speaker of the house of representatives has signed enrolled bills entitled

An act more effectually to provide for holding the circuit courts in this state;

An act to provide for closing the business belonging to [the] office of the surveyor general for the third district, and

An act more effectually to prevent champerty and maintenance in suits brought by Indian reserves;

Which I am directed to deliver to the senate to receive the signature of their speaker;

They have read and accepted the resignation of Sterling Brewer, entry-taker for Dickson county;

They have adopted the following resolution in which they ask your concurrence:

Resolved, That the senate meet the house of representatives, in their hall, on Saturday next, at 12 o'clock, for the purpose of electing an entry-taker for Dickson county;

And then he withdrew.

The speaker signed the enrolled bills received from the house of representatives;

Ordered, That the clerk deposit them in the office of the secretary of state;

The resignation of Sterling Brewer, entry-taker for Dickson county, was read and accepted.

Mr. Huntsman laid upon the table the following preamble and resolution:

WHEREAS, it is probable that the congress of the United States will relinquish to the state of Tennessee the residuum of the soil in the western district, during the present session of congress, and if that event should take place, the next general assembly will have the final disposition of the land south and west of the congressional reservation line, and for the purpose of giving warrant holders or claimants for warrants, (if any there be) an

equal and fair chance to produce any *bona fide* claim they may have, and to place them upon the same footing;

Resolved, That it is inexpedient, at the present session, to open the offices south and west of the congressional reservation line, for receiving entries;

According to a rule of the senate said resolution lies one day upon the table.

Mr. Lytle laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the state of Tennessee, That grants, Nos. 3135 and 3349, for 640 acres each, be referred to the commissioner of land claims for adjudication, and that he act on said claims as in other cases of a similar nature.

Ordered, That said resolution be referred to the committee on land claims.

Mr. Bradford laid upon the table the following resolution:—

Resolved. That James Britton, Andrew Martin, James Haggard, James Stephens and Asa M. Elkins be, and they are, hereby appointed justices of the peace for Bedford county.

Mr. Hall laid upon the table the following resolution:—

RESOLVED, by the General Assembly of the state of Tennessee, That John H. Nelson be, and he is, hereby appointed a justice of the peace for Smith county;

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The said resolutions were then read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein;

In which resolutions the house of representatives concurred, and acquainted the senate therewith by message.

On motion of Mr. Walker,

The committee on captains' companies and justices of the peace was discharged from the further consideration of a resolution referred to them on the 24th ult. for the appointment of justices of the peace for the counties of Sumner, Warren, Wayne, Hardin, Cocke and Sevier;

The said resolution was then read, and adopted;

Ordered, That the clerk acquaint the house of representatives therewith.

On motion of Mr. Brown,

The senate took up so much of a resolution received from the house of representatives, on the 5th inst., and which had been laid upon the table, as appoints justices of the peace for the counties of Lincoln, Rhea and McMinn;

Which was read and concurred in.

Ordered, That the clerk acquaint the house of representatives therewith.

On motion of Mr. Hall,

The senate took up a resolution, received from the house of representatives on the 23d Oct. appointing justices of the peace for the county of Smith, and concurred in so much thereof as appoints Isaac Congo, and non-concurred in the appointment of Isaac Moore and James Witter.

Ordered, That the clerk acquaint the house of representatives therewith.

A bill to limit the operation of the 2d and 3d sections of an act, entitled "an act to prevent the depreciation of the Nashville bank paper, in the hands of the good people of this state" passed Dec. 11, 1826,

Was read a third and last time,

And on the question;

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—14

NOES—10

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Brown, Frey, Gray, Greene, of R., Green, of F., Huntsman, Lytle, Reynolds, Rucker, Smith, Walker & Williams—14.

Those who voted in the negative, are;

Mr. Gammon, Garrett, Howard, and Lowry—4.

And so the said bill passed and was

Ordered to be enrolled.

A bill for the benefit of Lewis Ross and John Walker, jr.

Was read a third time.

And on the question,

Shall the bill pass?

It was determined in the affirmative;

There being

AYES—10.

NOES— 6.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Gammon, Howard, Huntsman, Lowry, Lytle, Reynolds, Rucker, Walker and Williams—10.

Those who voted in the negative, are;

Mr. Bradford, Brown, Frey, Garrett, Gray and Greene, of R.,—6.

And so the said bill passed.

A bill for the relief of the heirs of persons dying intestate,

Was read a third time;

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—14.

NOES— 4.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Gar-

rett, Gray, Green, of F., Howard, Huntsman, Lowry, Lytle, Rucker, Walker and Williams.—14.

Those who voted in the negative, are;

Mr. Bradford, Greene, of R., Reynolds and Smith—4.

And so the said bill passed.

A message from the house of Representatives, by Mr. Campbell their clerk.

Mr. SPEAKER,

The house of representatives non-concur in your proposed amendment to,

A bill to define the liability of endorsers on promissory notes, and other instruments for the payment of money;

And then he withdrew.

The said message was read at the clerk's table.

Mr. Green of F. made a motion, that said bill be laid upon the table 'till the first day of January

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—10.

NOES— 8.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Bradford, Brown, Green, of F., Howard, Huntsman, Lowry, Lytle, Rucker, Smith and Williams —10.

Those who voted in the negative, are;

Mr. Speaker Hall, Frey, Gammon, Garrett, Gray, Greene, of R., Reynolds and Walker—8.

And so the said bill was

Ordered, To be laid upon the table 'till the first day of January next.

A bill to abolish imprisonment for debt,

Was read a second time;

And on the question,

Shall the said bill pass?

It was determined in the negative;
There being

AYES—8.

NOES—10.

The ayes and noes being required,
Those who voted in the affirmative, are;
Mr. Garrett, Green, of F., Howard, Hunts-
man, Lowry, Lytle, Reynolds and Walker.—8.

Those who voted in the negative, are;
Mr. Speaker Hall, Bradford. Brown, Frey,
Garrison Gray, Greene, of R., Rucker, Smith
and Williams.—10.

And so the said bill was rejected.

A bill to establish an inspection of tobacco, &c.
in the county of Claiborne;

A bill requiring the secretary of state to have
bound and kept in his office a certain number of
the pamphlet acts of this state;

A bill to provide for an equal distribution of the
public arms belonging to this state;

A bill for the relief of citizens who may haul
salt from Goose creek salt works;

A bill to authorise James Kirby and Wm. M^r.
Bath to erect a mill dam on Little river, in Blount
county;

A bill to regulate the continuance of causes;

A bill for the relief of Spencer Tinsley;

A bill for the relief of Legate M^rCrory, assignee
of Thomas M^rCrory;

A bill for the benefit of sheriffs;

A bill appointing commissioners for the towns
therein named;

A bill appointing trustees for the academies
therein named;

A bill appointing commissioners to settle with
the entry taker of the Iliwassee district;

A bill directory to the surveyor of the 13th dis-
trict; and

A bill authorising lotteries for the erection of a

female academy in the county of Maury and a masonic hall in the town of Pulaski,

Were severally read a second time and passed.

A bill regulating the state tax on suits at law;

A bill for the relief of Lewis Ross;

A bill to amend an act, entitled "an act directing the mode of proceeding against the real estate of deceased debtors, where the personal estate is insufficient for the payment of his debts;

A bill prescribing certain duties to sheriffs and other officers; and,

A bill to compel jailors to do their duty;

Were severally read a second time, and rejected.

A bill for the benefit of Thomas Norton and others;

A bill to establish a female academy in the county of Claiborne;

A bill for the relief of Lewis Harris;

A bill providing for writs of error in certain cases;

A bill for the relief of the heirs of Tart Mosely, dead.

A bill to regulate the county courts of the counties of Monroe and Carter;

A bill to regulate the time of holding the courts therein named;

A bill requiring certain duties to be performed by the trustees of the different county academies and for other purposes;

A bill to regulate the time of holding some of the courts in the western district;

A bill for the relief of Comfort Robertson;

A bill to continue the respective agencies of the bank of the state of Tennessee;

A bill better to secure the collection of the revenue, and to prescribe the duty of clerks and solicitors in certain cases,

A bill to amend and reduce into one, the several acts concerning county revenue; and,

A bill for the relief of the heirs of John Groom, decd.

Were severally read a third time, and passed;

A bill for the relief of Allen D. Gentry,

A bill granting a survey of Overton county and for other purposes;

A bill for the relief of Abigail Nettles of Overton county;

A bill for the benefit of Wm. Hart, clerk of the circuit court of Smith county; and,

A bill for the benefit of Benjamin Bonds,

Were severally read a third and last time, passed, and

Ordered to be enrolled.

And then the senate adjourned.



SATURDAY, DECEMBER 8th, 1827.

Mr. Brown, from the committee on enrolled bills

Reported, that they have examined and found to be truly enrolled,

An act to alter the names, and legitimate the persons therein named;

An act for the benefit of Abigail Nettles of Jackson county;

An act for the relief of Snowden Hickman of Wilson county; and,

An act for the relief of Wm. Mayo and others;

The speaker signed said enrolled bills;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

The senate took up and proceeded to the consideration of a preamble and resolution, declaring it inexpedient at the present session to open the surveyors offices south and west of the congress-

ional reservation line for the reception of entries,
 Which was again read;
 And on the question
 To adopt said resolution,
 It was determined in the affirmative;
 There being

AYES—11.
 NOES— 7.

The ayes and noes being required;
 Those who voted in the affirmative, are;
 Mr. Speaker Hall, Brown, Frey, Gammon, Gray,
 Greene, of R., Howard, Huntsman, Lowry Wal-
 ker and Williams.—11.

Those who voted in the negative, are;
 Mr. Bradford, Garrett, Green, of F., Lytle,
 Reynolds, Rucker and Smith.—7.

And so the said resolution was adopted;
Ordered, That the clerk acquaint the house of
 representatives therewith, and ask their concur-
 rence therein.

A resolution received from the house of repre-
 sentatives on yesterday, proposing to elect an en-
 try taker for Dickson county on to-day,
 Was taken up and read.

Mr. Brown moved to concur in so much of said
 resolution, as proposes to meet the house of re-
 presentatives to go into said election, and non-con-
 cur as to the time, and propose to them to go into
 the said election on Monday next;

Which was agreed to by the senate,

Ordered, That the clerk acquaint the house of
 representatives therewith,

On motion of Mr. Frey,

The senate took up a resolution received from
 the house of representatives on the 24th ult. ap-
 pointing justices of the peace for Montgomery
 county,

Which was read and non-concurred in;

KK SENATE

Ordered, That the clerk acquaint the house of representatives therewith.

On motion of Mr. Gammon,

The senate took up a resolution received from the house of representatives, on the 24th ult. appointing justices of the peace for Hawkins county;

Which was read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

On motion of Mr. Lytle,

A report made by the committee on land claims on the 29th ult., was taken up and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein;

On motion of Mr. Lytle,

The committee on land claims was discharged from the further consideration of a resolution submitted by Mr. Bradford on the 29th Oct. referring certificate No. 2795 for adjudication;

The said resolution was then read and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask there concurrence therein.

Mr. Brown laid upon the table the following resolution:

RESOLVED, by the General Assembly of the State of Tennessee, That land warrants No. 726 for 116 acres and No. 136 for 40 acres issued by James Gaines, be referred to the commissioner for adjudication.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended;

Said resolution was then read

It was on the question to adopt said resolution, And determined in the affirmative;

There being

AYES—10.

NOES— 8.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford, Brown, Gammon, Greene, of R., Howard, Lowry, Lytle, Reynolds, Smith and Williams.—10.

Those who voted in the negative, are;

Mr. Speaker Hall, Frey, Garrett, Gray, Green, of F., Huntsman, Rucker and Walker.—8.

And so the said resolution was adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Greene, of R., laid upon the table the following resolution:

RESOLVED, by the *General Assembly of the state of Tennessee*, That a warrant issued by the commissioner of East Tennessee, dated 6th April, 1809, on entry, No. 1389 in John Armstrong's office, be referred to the commissioner for adjudication;

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended;

The said resolution was then read and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Lytle, laid upon the table, the following resolution:

RESOLVED, by the *General Assembly of the State of Tennessee*, That Grant No. 374 issued by the state of North Carolina to William Polk, be referred to the commissioner of land claims for adjudication, under the same rules as other cases of a similar nature.

Mr. Huntsman, laid upon the table the following resolution:

RESOLVED, by the *General Assembly of the State of Tennessee*, That Grant No. 5448, to James Green for 100 acres, be referred to the commissioner for adjudication, and if it shall appear that said grant is founded upon a good and valid warrant;

and lies north of the Kentucky line, to issue a certificate therefor;

Ordered, That said resolutions be referred to the committee on land claims.

A message from the house of representatives, by Mr. Campbell, their clerk,

Mr. SPEAKER;

The speaker of the house of representatives has signed enrolled bills, entitled

An act to provide compensation to the persons therein named for revising the laws of this state. ~~¶~~

An act to extend the benefits of an act, entitled "an act respecting the improvements of land" passed Oct. 18th, 1813, to the people of the Hiwassee district;

An act to repeal all laws giving tax fees to attorneys at law, on motions in certain cases;

An act requiring the collector of the public revenue in Robertson county, to pay over certain monies;

An act to regulate the county courts therein named;

An act for the relief of the heirs of Joseph Campbell, decd.; and, also, the heirs of John Harrison of Lincoln county;

An act to alter the time of holding the battalion musters in the county of Henry;

An act for the benefit of the estate of John Porter, deceased;

An act to continue the respective agencies of the bank of the state of Tennessee;

An act to amend an act, entitled "an act to authorise the county court of Davidson, to lay a tax for the purpose of building a court house;

An act for the relief of the heirs of John Groom;

An act to amend an act, passed 4th Nov. 1825, entitled "an act more effectually to define the jurisdiction of the courts of equity;

An act to amend an act, passed 1825, for the

relief of Richard Gamble an idiot of Sullivan county;

An act to authorise the circuit courts to divorce the persons therein named; and,

An act for the benefit of the persons therein named;

Which I am directed to deliver to the senate to receive the signature of their speaker.

They have adopted the following resolutions in which they ask your concurrence;

A resolution referring for adjudication grant No. 576;

A resolution referring for adjudication, warrant No. 6802;

A resolution referring certificate No. 1015 for adjudication; and,

A resolution referring grants therein named for adjudication; and also, the following resolutions,

Resolved, That the Governor in ordering the public arms for this state, be instructed to receive a proportionable part in light artillery, to be disposed of as may be provided for by law.

Resolved, That the secretary of state, forthwith cause to be published,

An act passed at the present session, entitled "an act to amend and reduce into one, the several acts concerning county revenue" and that he transmit by mail or otherwise, one copy to each of the clerks of the circuit and county courts and one copy to each sheriff and county trustee in this state,

And then he withdrew.

According to a rule of the senate, said resolutions lie one day upon the table.

The speaker signed the enrolled bills, received from the house of representatives.

Ordered, That the clerk deposit them in the office of the secretary of state.

Mr. Garrett who had withdrawn,

KK2 SENATE.

A bill for the benefit of Bean's Station turnpike returned the same with an amendment,
Which was adopted.

The said bill was then read a second time and passed.

Received from the house of representatives,
A bill for the relief of James Greer;
A bill for the relief of J. C. N. Robertson;
A bill for the relief of Humphrey Donaldson, of Wilson county, and
A bill for the relief of Wm. Dysart,
Which bills were severally read a first time, and passed.

A bill directing the circuit court of Maury county to divorce certain persons;

A bill to establish a female academy at Purdy, in the county of McNairy;

A bill to divide the first battalion of the 81st regiment;

A bill to authorise the county courts to appoint trustees for county academies in case of vacancies;

A bill to authorise the county court of Anderson county to lay a tax to build a prison and stocks;

A bill for the benefit of Wm. Woods;

A bill for the benefit of Andrew Salts, and

A bill to authorise Charles Crutchfield to sell certain real estate;

Were severally read a second time and passed.

A bill for the benefit of John Jett and others, and

A bill for the benefit of Saml. Vest and others;

Were both read a third time and passed.

A bill to prescribe the mode of obtaining appeals in certain cases;

A bill to appoint additional trustees for the academies therein named;

A bill for the relief of Jeremiah Fields;

A bill to appoint a trustee for Dover academy;

A bill to authorise the Washington guards to constitute themselves into a company of cavalry;

A bill supplemental to an act to provide the manner in which costs in criminal cases shall be paid, and for other purposes;

A bill to establish a female academy in the town of Jonesboro', in the county of Washington;

A bill to establish a female academy at Bolivar, in the county of Hardeman;

A bill respecting a volunteer company of militia, denominated the "guards of the 53d regiment;"

A bill to change the time of holding battalion musters in the 23d regiment;

A bill to give jurisdiction to justices of the peace under the estray laws, and

A bill for the relief of Martha Callis, wife of Abel Callis, of Wilson county;

Were severally read a third and last time, passed, and

Ordered, To be enrolled;

A bill to amend an act, entitled

An act to provide a method to help and speed poor persons in obtaining their just rights;

Was read a second time and rejected;

A bill directing the treasurer to employ counsel to defend certain suits;

Was read a second time.

And on the question,

Shall the said bill pass?

It was determined in the negative;

There being

AYES— 5.

NOES— 10.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford, Green, or F., Lytle, Rucker and Williams —5.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Frey, Gammon. Gray, Greene, of R., Howard, Huntsman, Lowry, and Reynolds.—10.

And so the said bill was rejected.

A bill to authorise John Payne to open a turn-pike road,

Was read a third and last time and rejected.

A message from the house of representatives, by Mr. Campbell, their clerk.

Mr. SPEAKER,

The house of representatives have adopted the following resolution, in which they ask your concurrence:

RESOLVED, by the General Assembly of the State of Tennessee, That the following persons be appointed justices of the peace for the following counties, to wit:

For the county of Hardeman, Martin Taylor, Edmund D. Tarver, James Bragard, Lazarus Stewart, Walter Scott, Daniel Hughes, Thos. James, Alexander McKensy, Ichabod Hensley and John Staughler;

For the county of Fentress, John McBath, Charles Reagan and Simon Huddleston, Jur.;

For the county of Williamson, James O. Potter.

For the county of Rhea, James Swan;

And then he withdrew.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended;

The said resolution was then read and concurred in.

On motion of Mr. Green, of F.

A resolution received from the house of representatives this day, and which had been laid upon the table, directing the secretary of state to have printed and distributed, the

Act to amend and reduce into one, the several acts concerning county revenue,

Was taken up and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

A bill to continue in force the provisions of an act, passed Dec. 5th, 1825,

Was read a second time.

Mr. Huntsman made a motion to strike out the last section of said bill, which provided for opening the surveyors offices south and west of the congressional reservation line, for the reception of entries on warrants and certificates;

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—11.

NOES— 6.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Garrett, Gray, Greene, of R., Howard, Huntsman, Walker and Williams.—11.

Those who voted in the negative, are;

Mr. Bradford, Green, of F., Lytle, Reynolds, Rucker and Smith.—6.

And so the said section was stricken out.

On motion of Mr. Walker,

Ordered, That said bill lie upon the table.

And then the senate adjourned.



MONDAY, DECEMBER 10th, 1827.

Mr. Walker, from the committee on enrolled bills, reported, that they have examined and found to be truly enrolled,

An act for the relief of certain purchasers of land in the Hiwassee district,

An act to change the time of holding certain battalion and regimental musters of T. m.;

An act supplemental to "an act to provide the manner in which costs in criminal cases shall be paid;

An act for the benefit of the clerk of the circuit court of Smith county, and the register of the western district;

An act granting a re-survey of Overton county, and for other purposes;

An act to establish a female academy at Bolivar, in the county of Hardeman;

An act for the relief of Martha Callis, wife of Abel Callis;

An act limiting the operations of the 2nd and 3d sections of an act to prevent the depreciation of the Nashville bank paper, in the hands of the good people of this state, passed at Nashville, 11th Dec. 1826, and

An act for the relief of Benjamin Bonds;

The speaker, signed said enrolled bills;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

The senate took up a resolution received, on Saturday, from the house of representatives, directing the governor to receive a proportionable part of the public arms, in light artillery;

Which was read and non-concurred in.

Ordered, That the clerk acquaint the house of representatives therewith.

The speaker laid before the senate the resignations of George I. Cain as a justice of the peace for Wilson county, and Thomas E. T. McMurry a justice of the peace for the county of Blount;

Which resignations were both read and accepted;

Ordered, That the clerk transmit them to the house of representatives and acquaint them therewith.

On motion of Mr. Walker.

Ordered, That the rule of the senate requiring resolutions to lie one day upon the table, be suspended until the rise of this general assembly.

Mr. Walker submitted the following resolution, which was read:

Resolved, That the speakers of each branch of

this general assembly adjourn their respective houses t is evening, without day;

And on the question to adopt said resolution,

It was determined in the negative;

There being

AYES— 2.

NOES—16.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Gammon and Walker.—2.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Cain, Frey, Garrett, Gray, Greene, of R., Green, of F., Howard, Huntsman, Lowry, Lytle, Reynolds, Rucker, Smith and Williams.—16.

And so the said resolution was not adopted.

The senate took up and proceeded to the consideration of

A bill for the modification of the supreme court and to abolish the present system of chancery courts;

Mr. Huntsman offered an amendment to said bill, which divided the state into two chancery districts, and provided for the election of two chancellors, whose duty it should be to hold the chancery courts at the times and places now established by law, with the same jurisdiction and powers as the supreme judges have and possess, under the existing laws;

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—11.

NOES— 8.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Frey, Gammon, Gray, Greene, of R., Green, of F., Huntsman, Lowry, Lytle, Reynolds, Rucker and Williams—11.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Cain, Garrett, Howard, Smith, and Walker—8.

And so the said amendment was adopted.

Mr. Reynolds then made a motion to strike out so much of said bill as established a new judicial circuit and provided for the appointment of a circuit judge therefor;

And the question thereon was taken,

And determined in the affirmative;

There being

AYES—12.

NOES— 7.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford, Brown, Cain, Frey, Gammon, Garrett, Gray, Greene, of R., Reynolds, Rucker, Walker and Williams.—12.

Those who voted in the negative, are;

Mr. Speaker Hall, Green, of F., Howard, Huntsman, Lowry, Lytle and Smith.—7.

And so that part of said bill was stricken out;

The said bill, as amended, was then read a third time;

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—10.

NOES— 9.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Frey, Gammon, Gray, Greene, of R., Green, of F., Huntsman, Lowry, Lytle, Rucker, and Williams.—10.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Cain, Garrett, Howard, Reynolds, Smith and Walker.—9.

And so the said bill passed.

A message from the house of Representatives, by Mr. Campbell their clerk.

Mr. SPEAKER,

The house of representatives concur in your amendment to their resolution for the election of an entry-taker of Dickson county;

They have adopted the following resolution, in which they ask your concurrence.

Resolved, That the joint resolution of the general assembly of Nov. 29th be, and the same is, hereby rescinded;

And then he withdrew.

The resolution from the house of representatives was then read at the clerk's table;

And on the question,

Will the senate concur in said resolution;

It was determined in the affirmative.

There being

AYES—17.

NOES— 1.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Brown, Cain, Frey, Gammon, Gray, Greene, of R., Green, of F., Howard, Huntsman, Lowry, Lytle, Reynolds, Rucker, Smith and Williams.—17.

Those who voted in the negative, are;

Mr. Walker.—1.

And so the said resolution was concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

The speaker and gentlemen of the senate repaired to the hall of the house of representatives and were invited to seats within the bar of the house;

The two houses then proceeded, by joint ballot, to the election of an entry-taker for Dickson county, and upon collecting and counting out the ballots, the speaker of the senate declared that Jacob

LL SENATE.

Voorhees was duly and constitutionally elected entry-taker for Dickson county;

Whereupon, the speaker and gentlemen of the senate returned to their own chamber.

Mr. Garrett laid upon the table the following resolution:—

RESOLVED, by the *General Assembly of the State of Tennessee*, That Hugh Houston, Abraham McConnell, Joseph Lebo, Jacob Noe, Reuben Groves, David Shields and Thomas Howell, be, and they are, hereby appointed justices of the peace for Grainger county.

Mr. Huntsman laid upon the table the following resolution:—

RESOLVED, by the *General Assembly of the State of Tennessee*, That Benjamin Hankins be, and he is, hereby appointed a justice of the peace for Shelby county;

Mr. Reynolds laid upon the table the following resolution:—

RESOLVED, by the *General Assembly of the state of Tennessee*, That grant, No. 1534 to Richard Dallum, be referred to the commissioner for adjudication, and that he issue a certificate for any interference that may appear, as in other cases; also, that warrant No. 1228 to the heirs of Michael Venters, be referred for adjudication.

The said resolutions were severally read and adopted.

Ordered, That the clerk acquaint the house of representatives therewith and ask their concurrence therein.

Mr Reynolds, from the military committee to which had been referred,

A bill to provide for the payment of the witnesses in the trial of brigadier general Wm. Stone; also, a petition of the commissioned officers of the 3rd and 90th regiments on the subject of uniforms; also, a resolution directing said committee to en-

quire into the expediency of providing by law for the payment of costs of courts martial, reported said bill with amendments, embracing the subjects of said petition and ~~and~~ concurred in.

Which were read and adopted;

The said bill being on its third and last reading;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein;

In which amendments the house of representatives concurred, and acquainted the senate therewith by message.

Mr. Reynolds, from the same committee to which had been referred a petition of sundry officers of the 8th brigade, praying the establishment of brigade drills, made an unfavorable report thereon;

Which was read and concurred in.

Mr. Reynolds, from the same committee to which had been referred, a resolution requiring said committee to enquire into the expediency of repealing the law authorising county drills, reported, that the committee directed him to ask to be discharged from the further consideration thereof, as there is a bill on its passage embracing the subject of said resolution;

Ordered, That said committee be discharged from consideration of said resolution.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The house of representatives concur in your amendments to

A bill to authorise the individuals therein named, to raise \$100,000 for the purpose of improving the navigation of Cumberland river, except the section requiring the commissioners to give bond and security for the faithful appropriation of the

money raised by said lottery, in which they non-concur;

They concur in your resolution, referring sundry grants and claims for adjudication; also, in your resolution, referring warrant, 2795, issued by A. Roane; also, in your resolution referring two Evans warrants, Nos. 726 and 136; also, your resolution referring grant No. 153 and warrant No. 1228 to the commissioner for adjudication;

They non-concur in your resolution declaring it inexpedient to open the land offices south and west of the congressional reservation line, for the reception of entries;

They concur in your resolution appointing Benjamin Hankins a justice of the peace for Shelby county;

They have adopted the following resolution, in which they ask your concurrence:

RESOLVED, by the General Assembly of the state of Tennessee, That John T. Cush and James Cannon, be, and they are, hereby appointed justices of the peace for the county of Grainger.

RESOLVED, by the General Assembly of the State of Tennessee, That the following persons be appointed justices of the peace for the following counties, to wit:

For the county of Lawrence, Bradley Halford, Daniel Beeler, A. Murphy, John Forbes, Willis Hammond;

For the county of Cocke, Benjamin Coleman;

Resolved, That grant No. 205 for 1000 acres to Robert King, and grant No. 3303 for 640, be referred to the commissioner for adjudication;

And then he withdrew.

On motion of Mr. Garrett,

Ordered, That the resolution received from the house of representatives, appointing justices of the peace for Grainger county, lie upon the table.

The resolution received from the house of re-

representatives appointing justices of the peace for Lawrence and Cocke counties; also, for referring grants, Nos. 205 and 3303, for adjudication,

Were severally read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith;

A bill for the distribution of insolvents estates,
Was read a second time;

Mr. Bradford made a motion that said bill be laid upon the table till the first day of January next,

And the question thereon was taken;

And determined in the affirmative;

There being

AYES—10.

NOES— 7.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Brown, Howard, Huntsman, Lytle, Rucker, Smith, Walker and Williams.—10.

Those who voted in the negative, are;

Mr. Frey, Gammon, Garrett, Gray, Green, of F., Lowry, Reynolds.—7.

And so the said bill was,

Ordered, To be laid upon the table 'till the first day of January next.

A bill to authorise Thomas Burgess to emancipate his slaves.

Was read a second time;

Mr. Williams made a motion that said bill be laid upon the table till the first day of January next;

And the question thereon was taken,

And determined in the affirmative;

There being

AYES— 9,

NOES— 8.

The ayes and noes being required,

Those who voted in the affirmative, are;

LL2 SENATE

Mr. Speaker Hall, Bradford, Brown, Frey, Gammon, Huntsman, Reynolds, Walker and Williams.—9.

Those who voted in the negative, are;

Mr. Garrett, Gray, Green, of F., Greene, of R., Howard, Lowry, Lytle and Rucker.—8.

And so the said bill was,

Ordered to be laid upon the table 'till the first day of January next.

Received from the house of representatives,

A bill to establish an arbitration system in the state of Tennessee;

Mr. Howard made a motion to lay said bill upon the table 'till the first day of January next;

And the question thereon was taken,

And determined in the affirmative;

There being

AYES— 8.

NOES— 7.

The ayes and noes being required,

Those who voted in the affirmative, are,

Mr. Speaker Hall, Frey, Green, of F., Howard, Huntsman, Lowry, Walker and Williams.—8.

Those who voted in the negative, are,

Mr. Bradford, Brown, Gammon, Lytle, Reynolds, Rucker and Smith.—7.

And so the said bill was

Ordered to lie upon the table 'till the first day of January next.

A bill to amend

An act establishing the sittings of a supreme court at Reynoldsburg, passed Nov. 17th, 1825.

Was read a second time;

And on the question,

Shall the said bill pass?

It was determined in the negative;

There being

AYES— 9.

NOES— 9.

The ayes and noes being required;

Those who voted in the affirmative, are;
Mr. Bradford, Cain, Garrett, Gray, Howard,
Huntsman, Lowry, Rucker and Williams.—9.

Those who voted in the negative, are;
Mr. Speaker Hall, Brown, Frey, Gammon,
Greene, of R., Green, of F., Lytle, Reynolds and
Walker.—9.

And so the said bill was rejected, for according
to a rule of the senate, where there is an equal
division of the vote, the question is lost.

A bill to extend the charter of the turnpike
road from Kimmer's to Sparta, now owned by
Jesse Lincoln and Reuben Ross;

Was read a third time.

Mr. Williams made a motion to lay said bill
upon the table 'till the first day of January
next;

And the question thereon was taken;

And determined in the negative;

There being

AYES— 7.

NOES—10.

The ayes and noes being required,

Those who voted in the affirmative; are,

Mr. Brown, Gammon, Garrett, Greene, of R.,
Rucker, Walker and Williams.—7:

Those who voted in the negative; are,

Mr. Speaker Hall, Cain, Frey, Gray, Green, of
F., Howard, Lowry, Lytle, Reynolds and Smith—10,

And so the said motion was lost,

The said bill then passed a third time.

A bill to authorise the persons therein named
to raise one hundred thousand dollars for the pur-
pose of improving the navigation of Cumberland
river,

Which had been amended by message;

Was read a third and last time,

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—11.
NOES— 3.

The ayes and noes being required,
Those who voted in the affirmative, are;
Mr. Speaker Hall, Bradford, Brown, Frey,
Gammon Huntsman, Lowry, Lytle, Reynolds,
Walker and Williams.—11.

Those who voted in the negative, are;
Mr. Green, of F., Howard and Rucker—3.
And so the said bill passed, and was
Ordered to be enrolled.

A bill to amend an act, entitled "an act, to regulate proceedings in civil cases and for other purposes" passed 27th Nov., 1823;

A bill for the relief of Hugh Gurley;

A bill to alter the time of holding the chancery court at Paris;

A bill for the relief of Wm. V. Aiken;

A bill for the relief of Charles Minor;

A bill to amend an act, for the relief of John Grigsby, passed Oct. 18, 1824;

A bill to alter the time of holding regimental musters in the 64th regiment;

A bill providing a place for holding courts in certain cases;

A bill for the relief of Arthur Patterson;

A bill to establish quorum courts in Gibson and Carroll counties;

A bill for the relief [of the] commissioners of the town of Raleigh in the county of Shelby;

A bill providing for locating certain certificate land warrants therein specified;

A bill establishing a precinct election in the county of Grainger;

A bill prescribing the duty of executors and administrators in certain cases;

A bill to repeal certain laws therein mentioned, and to declare others in force;

A bill to establish a third battalion in Dyer county;

A bill for the relief of mechanics and tradesmen;

A bill to authorise Columbia Lodge, No. 31 to receive title to a piece of ground for a Hall;

A bill for the relief of Audley Harrison and Thomas Ely;

A bill for the relief of Micajah Armstrong and Samuel Turney;

A bill to amend the militia law of this state;

A bill to authorise the laying off a town at Dougherty's office in the county of Carroll;

A bill to legalise the proceedings of the commissioners of Dyersburg;

A bill for the benefit of the Carroll guards;

A bill to provide for the better regulation of the town of Alexandria in the county of Smith;

A bill to establish a town to be called Winton, in the county of Maury;

A bill to authorise the county court of Cocke county, to open a turnpike road;

A bill for the relief of Peter Lanchan;

A bill to authorise Abraham Jones to build a fish trap in the river Clinch, in the county of Anderson;

A bill for the relief of Humphrey Donelson of Wilson county;

A bill for the relief of George Hicks;

A bill to authorise the court of Weakly county to lay a tax for the purpose therein named;

A bill to continue in force, the second section of an act, entitled "an act, to encourage the building of Mills in the western district;

A bill to compel the owners of mills to cut down the standing and decaying timber in their mill ponds; and,

A bill to authorise the entering of any quantity of land, not exceeding one thousand acres, north

and east of the congressional reservation line, and north of Tennessee river;

Were severally read a second time and passed.

A bill for the relief of Samuel J. Wilkins;

A bill to repeal an act, entitled "an act to incorporate the Hiwassee canal company;

A bill for the relief of William C. Britton;

A bill for the relief of Spencer Tinsley;

A bill for the relief of Legate M'Crory, assignee of Thomas M'Crory;

A bill for the relief of locators and others owning equitable interest in lands in this state;

A bill appointing additional commissioners for the turnpike roads therein named;

A bill for the benefit of Thomas Bradley former sheriff of Wilson county;

Were severally read a third time and passed;

A bill for the benefit of the clerks of the several courts in Smith county;

A bill to prescribe certain duties to the commissioners of the seat of Justice in M'Minn county;

Were both read a third and last time passed and *Ordered* to be enrolled.

A bill for the relief of the bank of the state;

A bill more effectually to extend to poor persons the means of prosecuting their rights, and of redressing their grievances in the courts of justice;

A bill to prevent the abatement of suits in certain cases;

A bill to repeal so much of the revenue law of this state, as requires the payment of a poll tax;

A bill to amend the several statutes in this state, relative to orphans and their estates,

A bill prescribing the number of witnesses necessary to prove bills of sale; and,

A bill to authorise the clerks of the several courts of this state to take the probate or acknowledgment of letters of attorney in the recess of court;

Were severally read a second time and rejected.

A bill directing the president and directors of the new bank to equalise the loans in the respective counties in this state;

Was read a third time and passed.

On motion of Mr. Bradford,

A bill to reduce the state tax on land and white polls,

Which had been laid upon the table, was taken up, read a first time and passed.

A bill for the relief of Woodward Roane;

Was read a second time and rejected;

A bill to appoint additional trustees to Transmontania academy in the county of Sumner;

Was read a third and last time, passed and

Ordered, To be enrolled;

And then the senate adjourned.

TUESDAY, DECEMBER 11th, 1827.

Mr. Brown, from the committee on enrolled bills, reported, that they had examined and found to be truly enrolled,

An act to prescribe the manner of obtaining appeals in certain cases;

An act for the benefit of the clerks of the several courts of Smith county;

An act respecting a volunteer company, in the county of Rutherford, denominated the guards of the 53d regiment;

An act to establish precinct elections in the counties of Carter and White;

An act for the benefit of J. Fields;

An act to authorise the Washington guards to constitute themselves into a company of cavalry;

An act to appoint a trustee for Dover academy;

An act for the appointment of additional trustees to the academies therein named;

An act to authorise lotteries for the purpose of opening and improving the navigation of Stone's river, and to build a bridge across Red river.

An act prescribing certain duties to the commissioners of the seat of justice in the county of McMinn;

An act establishing a female academy in the town of Jonesboro', and

An act giving jurisdiction to justices of the peace under the estray laws.

The speaker signed said enrolled bills;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

Mr. Lytle presented a memorial of Benjamin W. Bedford, praying the passage of a law to have dismissed a suit brought by the attorney general against him, under the acts of 1823 and 1826, "to tax brokers," now pending in the circuit court of Davidson county.

Ordered. That said memorial be referred to the committee of propositions and grievances.

Mr. Lytle, from the committee on land claims, to which had been referred sundry petitions and papers, purporting to be evidences of land claims, reported the following resolutions:—

RESOLVED, by the *General Assembly of the state of Tennessee*, That

1. Grant No. 3149.
2. do do 3135.
3. do do 838.
4. do do 374.

All of which are said to be interfered with, be referred to the commissioner for adjudication, as similar cases.

Resolved, That said commissioner adjudicate certificate warrant, No. 1024, for 80 acres, issued

by the register of West Tennessee to Robert Kirk, also, military warrant No. 1048, agreeably to the laws in force in such cases;

Resolved, That grant No. 5448, issued by the register of West Tennessee, be referred to the commissioner for adjudication, and if it shall appear from the certificate of the surveyor of the adjoining county that said grant lies north of the Kentucky line, and beyond the jurisdiction of this state to issue a certificate to the rightful owner;

The said resolution was read, and concurred in;

Mr. Lowry laid upon the table the following resolution:

RESOLVED, by the General Assembly of the State of Tennessee, That Miller Isbell, Robert M. Harris and Nicholas S. Peck, be, and they are hereby appointed justices of the peace for the county of Monroe.

Mr. Huntsman laid upon the table the following resolution:

RESOLVED, by the General Assembly of the State of Tennessee, That Francis Shoemake and James M^r. Reynolds, be, and they are hereby appointed justices of the peace for Hardeman county;

The said resolutions were both read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein;

On motion of Mr. Garrett,

A resolution, received from the house of representatives on yesterday, appointing justices of the peace for Grainger county,

Which, had been laid upon the table,

Was taken up, read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

A message from the house of representatives, by Mr. Campbell, their clerk.

MM SENATE

Mr. SPEAKER,

The speaker of the house of representatives has signed enrolled bills entitled

An act to amend and reduce into one the several acts concerning the county revenue;

An act providing for writs of error in certain cases;

An act for the relief of Wm. Lawrence;

An act to establish a female academy in the county of Claiborne;

An act for the benefit of Thomas Bradley former sheriff of Wilson county;

An act for the relief of Thomas Norton and Anthony Hurcle;

An act to regulate the time of holding some of the courts of the western district; and,

An act for the relief of Lewis Harris.

Which I am directed to deliver to the senate to receive the signature of their speaker.

They concur in your resolution to refer warrant 1889 for adjudication.

They have adopted the following resolutions in which they ask your concurrence:

A resolution for the relief of the assignee of William Christian;

A resolution referring land claims for adjudication;

A resolution providing for the adjudication of land claims;

A resolution referring grant No. 509 for adjudication;

And then he withdrew.

The speaker signed the enrolled bills, received from the house of representatives.

Ordered, That the clerk deposit them in the office of the secretary of state.

On motion of Mr. Walker.

Ordered, That the resolutions received from

the house of representatives referring land claims, be laid upon the table.

On motion of Mr. Reynolds,

A bill supplemental to an act, entitled "an act, to establish academies in the counties of Bledsoe and Marion;

Which had, heretofore been rejected, was reconsidered;

Mr. Reynolds, then made a motion to amend said bill by striking out the last section,

Which was agreed to by the senate;

Ordered, That the clerk acquaint the house of representatives therewith, and ask there concurrence therein.

In which amendment the house of representatives concurred, and acquainted the senate therewith by message.

The said bill was then passed a third time, and

Ordered, To be enrolled;

On motion of Mr. Greene, of R.,

A bill to amend an act, establishing the sittings of a supreme court at Reynoldsburgh;

Which was rejected on yesterday, was reconsidered;

Mr. Huntsman, then offered a section in lieu of the whole bill, changing the terms of holding said court;

Which was adopted.

The said bill then passed a second time,

The senate took up and proceeded to the consideration of

A bill to continue in force the provisions of an act passed 5th Dec. 1825,

This bill appointed the secretary of state commissioner to adjudicate such land claims as might be referred by any act or enrolled resolution of this General Assembly, or which were referred; by any act or resolution of the last session of the

General Assembly, and which were not filed within the time prescribed by law.

Mr. Brown offered, an amendment in lieu of the whole bill, which appointed the secretary of state commissioner, to receive and adjudicate all claims filed before the next session of the General Assembly, of interferences, original military warrants, not heretofore adjudicated, and claims for land lying within the territory ceded to Kentucky, and requiring the commissioner to make a detailed report to the next session of the General Assembly of the amount and description of claims adjudicated;

Which amendment was read and adopted.

The question was then taken,
Shall the said bill pass a second time;
And determined in the affirmative;
There being

AYES—12.

NOES— 6.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Cain, Frey, Garrett, Greene, of R., Green, of F., Howard, Lytle, Reynolds, Smith and Williams—12.

Those who voted in the negative, are;

Mr. Bradford, Gammon, Gray, Huntsman, Rucker and Walker—6.

And so the said bill passed.

A bill to establish the lines between the counties therein named,

Was read a third and last time,

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—10.

NOES— 4.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Gray, Greene, of R., Green, of F., Howard, Lowry, and Walker.—10.

Those who voted in the negative, are;

Mr. Bradford, Garrett, Huntsman, Lytle, Reynolds, Rucker and Williams —7.

And so the said bill passed, and was

Ordered, To be enrolled.

A bill to authorise navigation companies on the Caney Fork,

Was read a third and last time;

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—12.

NOES— 5.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Cain, Frey, Gammon, Greene, of R., Green, of F., Howard, Huntsman, Lowry, Reynolds and Rucker.—12.

Those who voted in the negative, are;

Mr. Bradford, Garrett, Gray, Walker and Williams —5.

And so the said bill passed, and was

Ordered to be enrolled.

A bill to amend the militia law, and make provision for the regiment of cavalry attached to the 10th brigade,

Was read a second time.

Mr. Reynolds made a motion to strike out so much of said bill as repealed the law of 1825, establishing county drills;

And the question thereon was taken,

And it passed in the affirmative;

MM2 SENATE.

There being

AYES—11.
NOES— 7.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Cain, Frey, Gray, Howard, Huntsman, Lowry, Lytle, Reynolds, Walker and Williams—11.

Those who voted in the negative, are;

Mr. Brown, Gammon, Garret, Greene, of R., Green, of F., Rucker and Smith—7.

And so that part of said bill was stricken out;

The said bill then passed a second time

A bill for the benefit of Elizabeth L. Crenshaw, and others,

Was read a second time.

And on the question

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—14.
NOES— 4.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Cain, Frey, Gammon, Garrett, Gray, Greene, of R., Howard, Lowry, Lytle, Reynolds, Rucker and Williams—14.

Those who voted in the negative, are;

Mr. Green, of F., Huntsman, Smith and Walker.—4.

And so the said bill passed.

A bill to authorise the entering of an Island in Tennessee river;

Was read a second time.

And on the question,

Shall the said bill pass?

It was determined in the negative;

There being

AYES— 8.
NOES—11.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Gray, Greene, of R., Howard, Huntsman, Lowry, Lytle, Rucker and Walker.—8.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Cain, Frey, Gammon, Garrett, Green, of F., Reynolds, Smith and Williams.—11.

And so the said bill was rejected.

A bill to suppress private banking,

Was read a second time.

Mr. Huntsman offered an amendment to said bill, giving to such institutions as come within the meaning of said bill, five years to close and wind up their concerns, upon the condition that they should pay a tax of one thousand dollars per annum, for said term of five years;

And the question thereon was taken,

And it passed in the affirmative;

There being

AYES—12.

NOES— 7.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Cain, Frey, Gammon Garrett, Gray, Green, of F., Howard, Huntsman, Lowry, Reynolds and Smith.—12.

Those who voted in the negative, are;

Mr. Bradford, Brown, Greene, of R., Lytle, Rucker, Walker and Williams.—7.

And so the said amendment was adopted.

The question was then taken,

Shall the said bill pass?

And determined in the affirmative;

There being

AYES—10.

NOES— 9.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Frey, Gammon, Garrett, Gray, Greene, of R., Howard, Huntsman, Lowry and Reynolds.—10

Those who voted in the negative, are;

Mr. Bradford, Brown, Cain, Green, of F., Lytle, Rucker, Smith, Walker and Williams.—9.

And so the said bill passed.

A message from the house of representatives, by Mr. Campbell, their clerk,

Mr. SPEAKER;

The house of representatives have taken up on its third and last reading,

A bill for the modification of the supreme court and to authorise special terms of the circuit courts, and propose amending the same by striking out the amendment made in the senate, on its third reading, laying off the state into two chancery districts, and providing for the appointment of a chancellor for each district, and to reinstate the original bill; abolishing the present system of chancery courts, and referring all business now pending in the chancery courts to the circuit courts, for decision; also, to reinstate the seventh section, establishing a tenth judicial circuit; in which they ask your concurrence;

And then he withdrew.

The said message was read at the clerk's table.

Mr. Bradford moved a division of the question, which was agreed to by the senate.

The question was then taken upon concurring in the first division of said message,

And determined in the negative;

There being

AYES— 6.

NOES—13.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Cain, Garrett, Howard and Smith.—6.

Those who voted in the negative, are;
 Mr. Brown, Frey, Gammon, Gray, Greene, of R.,
 Green, of F., Huntsman, Lowry, Lytle, Reynolds,
 Rucker, Walker and Williams.—13.

And that part of said message was non-concurred in;

The question was then taken on concurring in
 the last division of said message,

And determined in the negative;

There being

AYES— 3.

NOES—16.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Howard, Lowry and Smith.—3.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Brown, Cain, Frey,
 Gammon, Garrett, Gray, Greene, of R. Green, of
 F., Huntsman, Lytle, Reynolds, Rucker, Walker
 and Williams.—16.

And so that part of said message was, also, non-concurred in;

Ordered, That the clerk acquaint the house of
 representatives therewith,

A bill for the relief of James Greer;

A bill for the relief of J. C. N. Robertson;

A bill for the relief of Charles S. McCrory,
 late sheriff of Dyer county;

A bill for the benefit of George Reaves;

A bill to make entries in the Hiwassee district
 liable to execution;

A bill to amend an act, entitled

An act for the relief of the persons therein
 named, passed Dec. 9th, 1826;

A bill to regulate the granting of appeals, and
 appeals in the nature of a writ of error, and for
 other purposes;

A bill to reduce into one the patrol laws;

A bill to amend an act to prevent any person

from practising as an attorney in any court of which he is a justice of the peace or clerk, passed Oct. 22nd, 1817;

A bill for the relief of the people of the third judicial district of the supreme court;

A bill to authorise Jesse Matthews to enter a certain tract or parcel of land therein named;

A bill to authorise Thomas Wheeler of Anderson county, to open a turnpike road;

A bill for the relief of Joseph Wyatt;

A bill to authorise the running of the line dividing the counties of Warren and Franklin.

A bill for the relief of persons who had judgments in their favor, in Montgomery county court, the record of which was burned;

A bill to provide for improvements made on school lands;

A bill for the relief of John Lane of Lincoln county;

A bill to change the time of holding the circuit courts of Maury county;

A bill for the relief of Edward Mitchell;

A bill giving further time for recording and proving grants, deeds of conveyance, &c. and for other purposes, and

A bill for the relief of Jeremiah Lilliard and others;

Were severally read a second time and passed.

A bill for the relief of Wm. Dysart,

A bill to amend the law relative to divorces;

A bill to provide for children whose parents are living separate and apart from each other and for other purposes;

A bill to authorise the judges of the circuit courts of this state to hold courts of oyer and terminer in their respective circuits;

A bill regulating the attorney Generals' fee;

A bill for the relief of John K. Burke;

A bill for the relief of Wm. White;

A bill requiring clerks to renew their bonds;

A bill to provide for entering land in the Hiwassee district;

A bill to establish a board of internal improvements and for creating a fund for that purpose;

A bill for the relief of holders of county claims.

A bill to alter and regulate proceedings upon writs of error;

A bill to provide for certain land claims that cannot be identified;

A bill for the benefit of Francis Shaw;

A bill to authorise the adjudication of certain land claims;

A bill for the relief of the enterers of school lands in the Hiwassee district;

A bill directing the manner of excusing captains' companies from attending battalion and regimental musters;

A bill specifying how and when securities in certain bonds may be made liable, and

A bill to explain the sixth section of the act of 1794, chapter 5;

Were severally read a second time, and rejected.

A bill to explain the meaning and construction of certain words in the statutes of limitations now in force in this state;

A bill for the benefit of Bean's Station turnpike,

A bill for the relief of John Luttrell and Wm. Ursury, and

A bill to amend an act for the relief of John Grigsby, Senr., passed, 1824

Were severally read a third time and passed.

A bill to establish quorum courts in the counties of Gibson and Carroll;

A bill for the relief of Charles Minor;

A bill for the relief of Hugh Gurley;

A bill authorising lotteries for the erection of a female academy in the county of Maury, and a masonic hall in the town of Pulaski;

A bill for the relief of the sheriff of Lincoln county, and

A bill to provide for the payment of costs of courts martial for the trial of officers,

Were severally read a third and last time, passed, and

Ordered to be engrossed.

A bill to compel slave holders to work on roads, and for other purposes;

Was read a second time,

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—11.

NOES— 7.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Bradford. Gammon Garrett, Gray, Greene, of R., Howard, Huntsman, Lytle, Reynolds, Rucker and Williams:—11.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Erey, Green, of F., Lowry, Smith and Walker—7.

And so the said bill passed,

A bill to establish an hospital in the county of Shelby,

Was read a third and last time,

And on the question,

Shall the said bill pass?

It was determined in the affirmative.

There being

AYES—14.

NOES— 4.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Brown, Garrett, Gray, Greene, of R., Howard, Lowry, Lytle, Reynolds, Rucker, Walker and Williams.—14.

Those who voted in the negative, are;

Mr. Frey, Gammon, Green, of F., and Smith.—4.
 And so the said bill passed, and was
Ordered, To be enrolled;

A bill to reduce the state tax on white polls,
 Was read a second time.

Mr. Bradford made a motion to strike out one half of the poll tax, as the amount to be reduced, and so amend said bill as to abolish a poll tax altogether;

And the question thereon was taken,
 And determined in the negative;
 There being

AYES— 6.
NOES—11.

The ayes and noes being required,
 Those who voted in the affirmative; are,
Mr. Bradford, Gammon, Garrett, Lytle, Walker
 and **Williams.—6.**

Those who voted in the negative; are,
Mr. Speaker Hall, Brown, Frey, Gray, Greene,
of R., Green, of F., Howard, Huntsman, Lowry,
Reynolds and Rucker.—11;

And so the said motion was lost,
 The question was then taken,
 Shall the said bill pass?
 And determined in the affirmative;
 There being

AYES— 9.
NOES— 6.

The ayes and noes being required,
 Those who voted in the affirmative, are,
Mr. Bradford, Gammon, Garrett, Gray, Huntsman,
Lowry, Lytle, Rucker and Williams.—9.

Those who voted in the negative, are,
Mr. Speaker Hall, Frey, Greene, of R., Green,
of F., Reynolds and Walker.—6.

And so the said bill passed.

A bill to alter the county drills in the counties
 therein named;

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A bill to authorise suits to be brought before a justice of the peace, against one of several executors or administrators in certain cases;

A bill to erect the Woodward academy into a college, to be denominated the Jefferson college;

A bill to provide for the publication of Haywood's and Cobbs' revision of the laws of Tennessee, and

A bill for the relief of Jacob Lea and others;

Were severally read a second time and passed.

Mr. Smith submitted the following resolution:

RESOLVED, by the General Assembly of the State of Tennessee, That the governor, in ordering the public arms for this state, shall procure three pieces of light artillery and distribute the same in such manner as may be directed by law;

On motion of Mr. Reynolds,

The said resolution was read, and

Ordered to lie upon the table.



WEDNESDAY, DECEMBER 12th, 1827.

Mr. Brown, from the committee on enrolled bills, reported, that they have examined and found to be truly enrolled,

An act supplemental to an act, entitled, an act establishing academies in the counties of Bledsoe and Marion;

An act to establish the line between the counties therein named;

An act authorising navigation companies on the Caney Fork;

An act appointing additional trustees to the Transmountania academy, in Sumner county, and

An act authorising the individuals therein named to raise \$100,000 for the purpose of improving the navigation of Cumberland river;

The speaker, signed said enrolled bills;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

Mr. Lowry, from the committee of propositions and grievances, to which had been referred, a memorial of Benj W. Bedford, made an unfavorable report thereon,

Which was read and concurred in.

Mr. Garrett, from the committee on divorces, made the following report:

The committee have had under consideration sundry bills and accompanying documents, to divorce the persons therein named, and beg leave to report said bills and petitions unreasonable, and ought not to be passed into laws.

Respectfully submitted,

GRAY GARRETT, *Chairman.*

The said report was read and concurred in.

A bill to amend an act establishing the sittings of a supreme court at Reynoldsburg,

Was read a third and last time.

Mr. McMeans made a motion to strike out so much of said bill as was re-instated in the house of representatives on its third reading, removing said supreme court from Reynoldsburg to the town of Huntingdon, and to reinstate the bill as amended on its second reading in the senate, providing the change of the times of sitting of said court;

And the question thereon was taken,

And it passed in the affirmative;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

In which amendment the house of representatives non-concurred and acquainted the senate therewith, by message.

On motion of Mr. McMeans,

The senate receded from their amendment;

The question was then taken,

Shall the said bill pass,
And determined in the negative;
There being

AYES— 5.
NOES—18.

The ayes and noes being required,
Those who voted in the affirmative, are;
Mr. Bradford, Garrett, Gray, Huntsman and Low-
ry.—5.

Those who voted in the negative, are;
Mr. Speaker Hall, Brown, Cain, Frey, Gammon,
Green, of F., Howard, Lytle, McMeans, Reynolds,
Rucker, Walker and Williams.—13.

And so the said bill was rejected.

A bill prescribing the duties of the president and
directors of the bank of the state,

Was read a third time;

Mr. Reynolds made a motion to strike out the
first section, which reduced the salary of the pre-
sident of the principal bank to \$750 and the pre-
sident of the branch bank to \$400;

And the question thereon was taken,

And determined in the negative;

There being

AYES— 6.
NOES—13.

The ayes and noes being required;
Those who voted in the affirmative, are;
Mr. Bradford, Cain, Lytle, McMeans, Reynolds
and Walker.—6.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Gar-
rett, Gray, Greene, of R. Green, of F., Howard,
Huntsman, Lowry, Rucker and Williams.—13.

And so the said section was not stricken out;

The question then recurred upon the passage of
said bill and was taken thereon,

And determined in the affirmative;

There being

AYES—12.
NOES— 6.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Garrett, Gray, Greene, of R., Green, of F., Huntsman, Lowry, Rucker and Williams.—12.

Those who voted in the negative, are;

Mr. Bradford, Cain, Lytle, McMeans, Reynolds and Walker.—6.

And so the said bill passed.

A bill to encourage and facilitate the commercial intercourse between this state and the state of North Carolina,

Was read a third and last time,

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—10.
NOES— 6.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Gammon, Garrett, Gray, Greene, of R., Green, of F., Howard, Huntsman, Lowry, Lytle and Williams.—10.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Cain, Frey, Reynolds and Rucker.—6.

And so the said bill passed, and was

Ordered to be enrolled.

A bill to equalize the tax on merchants license,
Was read a third time.

Mr. Greene, of R., offered several amendments to said bill,

Which were read and adopted.

Mr. Bradford made a motion that said bill be laid upon the table till the first day of January next;

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And the question thereon was taken,
And determined in the negative;
There being

AYES— 7.
NOES—13.

The ayes and noes being required;
Those who voted in the affirmative, are;
Mr. Speaker Hall, Bradford, Brown, Frey, Gray,
Green, of F. and Smith—7.

Those who voted in the negative, are;
Mr. Cain, Gammon, Garrett, Greene, of R.,
Howard, Huntsman, Lowry, Lytle, McMeans, Reynolds,
Rucker, Walker and Williams—13.

And so the said motion was lost.

Mr. Gammon then withdrew said bill for amendment.

The senate took up, on its third and last reading,
A bill appropriating a fund for the support of
common schools in the state of Tennessee;

Mr. Bradford moved to amend said bill by striking out the proviso thereof, which provided that nothing in this act should be so construed as to prevent the legislature, hereafter, from vesting the said funds in any other manner, should they deem it expedient;

And the question thereon was taken,
And it passed in the affirmative;
There being

AYES—11.
NOES— 9.

The ayes and noes being required;
Those who voted in the affirmative, are;
Mr. Bradford, Brown, Cain, Frey, Garrett, Gray,
Green, of F., Howard, McMeans, Reynolds and
Smith.—11.

Those who voted in the negative, are;
Mr. Speaker Hall, Gammon, Greene, of R.,
Huntsman, Lowry, Lytle, Rucker, Walker and
Williams.—9.

And so the said amendment was adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The speaker of the house of representatives has signed enrolled bills entitled,

An act for the relief of Legate M'Crory, assignee of Thomas M'Crory;

An act for the relief of the heirs of persons dying intestate;

An act for the relief of Samuel J. Williams, of Maury county;

An act for the relief of Spencer Tinsley and others;

An act for the relief of William C. Britton;

An act requiring certain duties to be performed by the trustees of the different county academies, and by other persons;

An act for the relief of John Jett and others;

An act for the relief of Comfort Robertson;

An act directing the president and directors of the state of Tennessee, to equalize the loans in the respective counties in this State;

An act for the relief of locators and others who may own equitable interest in lands in this state; and

An act the better to secure the collection of the revenue and to prescribe the duty of clerks and attornies general, in certain cases;

Which I am directed to deliver to the senate, to receive the signature of their speaker;

They concur in your proposed amendment to

A bill appropriating a fund for the support of common schools in the state of Tennessee;

They concur in your resolution appointing justices of the peace for Hardeman county, and

non-concur in your resolution appointing justices of the peace for Monroe county;

They have adopted the following resolutions in which they ask your concurrence;

A resolution referring grant No. 762 for adjudication;

A resolution referring grant No. 123 for 150 acres for adjudication; and,

A resolution vesting certain powers in the Governor in relation to the donation of John Rice;

RESOLVED, by the General Assembly of the state of Tennessee, That John Anderson and James M^r-Murry, be, and they are hereby appointed justices of the peace for the county of Perry;

And then he withdrew.

The resolution vesting certain powers in the governor, in relation to the donation of John Rice;

Was read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

On motion of Mr. Walker,

The balance of the resolutions, received from the house of representatives, were laid upon the table;

The speaker signed the enrolled bills received from the house of representatives;

Ordered, That the clerk deposit them in the office of the secretary of state;

Mr. Smith made a motion that he be discharged from further duty on the committee appointed to contract with the president and directors of the Nashville bank for the redemption of their notes held by the state;

And the question thereon was taken,

And determined in the negative;

And so the said motion was lost.

A bill for the relief of Robert Gamble;

Was read a third time;

And the question thereon was taken,

Shall the said bill pass?
 And determined in the affirmative;
 There being

AYES—10.
 NOES— 8.

The ayes and noes being required,
 Those who voted in the affirmative, are;
 Mr. Brown, Gammon, Gray, Greene, of R.,
 Green, of F., Howard, Huntsman, Lowry, Lytle
 and Williams.—10.

Those who voted in the negative, are;
 Mr. Speaker Hall, Bradford, Cain, Frey, Garrett,
 Reynolds, Rucker and Smith—8.

And so the said bill passed.

A bill to aid and assist in creating a common
 school fund;

Was read a second time;

And on the question,
 Shall the said bill pass?

It was determined in the negative;
 There being

AYES— 8.
 NOES—10.

The ayes and noes being required,
 Those who voted in the affirmative, are;
 Mr. Brown, Garrett, Gray, Greene, of R., How-
 ard, Huntsman, Lowry and Williams.—8.

Those who voted in the negative, are;
 Mr. Speaker Hall, Bradford, Frey, Gammon,
 Green, of F., Lytle, Reynolds, Rucker, Smith and
 Walker.—10.

And so the said bill was rejected.

A bill appropriating a fund for the support of
 common schools,

Which had been amended by message,

Was read a third and last time,

And on the question,
 Shall the said bill pass?

It was determined in the affirmative;
 There being

AYES—16.

NOES—3.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Cain, Frey, Gammon Garrett, Gray, Greene of R., Green, of F., Howard, Huntsman, Lytle, Reynolds, Rucker, Smith and Walker—16.

Those who voted in the negative, are;

Mr. Bradford. Lowry and Williams.—3.

And so the said bill passed and was,

Ordered to be enrolled.

On motion of Mr. Howard,

The senate took up and proceeded to the consideration of

A bill for the purpose of funding the college and academy debt;

Mr. Reynolds made a motion that said bill be laid upon the table till the first day of January next,

And the question thereon was taken,

And determined in the negative;

There being

AYES—8.

NOES—12.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Cain, Frey, Gammon Reynolds, Smith and Walker.—8.

Those who voted in the negative, are;

Mr. Brown, Garrett, Gray, Greene, of R., Green, of F., Howard, Huntsman, Lowry, Lytle, M'Means, Rucker and Williams.—12.

And so the said motion was lost.

Mr. Reynolds then made a motion to strike out the last section of said bill, which provided that said act, should not take effect or go into operation until the first day of January, 1830;

And the question thereon was taken,

And determined in the negative;
There being

AYES— 8.
NOES—12.

The ayes and noes being required;
Those who voted in the affirmative, are;
Mr. Speaker Hall, Bradford, Cain, Frey, Gammon, Reynolds, Smith and Walker.—8.

Those who voted in the negative, are;
Mr. Brown, Gammon, Garrett, Gray, Greene, of R., Green, of F., Howard, Huntsman, Lowry, Lytle, Rucker and Williams.—12.

And so the said motion was lost.

Mr. Rucker made a motion, to strike out the first and second sections of said bill which, set apart fifteen thousand dollars of the capital stock of the bank of the state of Tennessee for the Nashville University and seventeen thousand five hundred dollars for East Tennessee college, in satisfaction of the debt due those institutions by the citizens south of French Broad and Holston;

And the question thereon was taken,

And it passed in the affirmative;

There being

AYES—12.
NOES— 6.

The ayes and noes being required,
Those who voted in the affirmative, are;
Mr. Speaker Hall, Bradford, Brown, Cain, Frey, Gammon, Gray, Green, of F., M'Means, Reynolds, Rucker and Smith.—12.

Those who voted in the negative, are;
Mr. Greene, of R., Howard, Lowry, Lytle, Walker and Williams.—6.

And so the said sections were stricken out.

Mr. Huntsman and Mr. Bradford, each offered amendments to said bill, which were adopted;

The said bill as amended, was then read a third time;

And on the question,

Shall the said bill pass?

It was determined in the affirmative;

There being

AYES—11.

NOES— 8.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Brown, Garrett, Gray, Greene, of R., Green, of F., Howard, Huntsman, Lowry, Lytle, Rucker and Williams.—11.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Cain, Frey, Gammon, Reynolds, Smith and Walker.—8.

And so the said bill passed.

A bill providing compensation for the counsel of the state in certain indian reservation suits;

A bill for the benefit of the commissioners of the town of Tellico;

A bill for the relief of such persons as hold lands under grants from North Carolina or this state;

A bill relative to the adjudication of land claims;

A bill to establish an inspection of tobacco, in Claiborne county;

A bill more effectually to compel public ferry-keepers to do their duty;

A bill appointing commissioners to settle with the entry-taker of the Hiwassee district;

A bill to amend an act, entitled "an act, to regulate proceedings in civil cases and for other purposes" passed 1823;

A bill for the relief of Abraham Hunter;

A bill directory to the surveyor of the 13th district;

A bill appointing Trustees to the academies, therein named;

A bill for the relief of Charles M'Clung;

A bill for the benefit of poor defendants;

A bill to authorise Thomas Wheeler to open a turnpike road;

A bill to provide for an equal distribution of the public arms belonging to the state;

A bill for the benefit of Benjamin C. Totten; and,

A bill for the relief of John S. Hardy,

Were severally read a third time and passed;

A bill directing the judge holding the circuit court of Maury county to divorce Susanna D. Carr and Mary Harris, upon certain proof;

A bill to alter the time of holding the chancery court at Paris, and the supreme court at Reynoldsburgh;

A bill to authorise John Slone and James Ellege to open a turnpike road;

A bill prescribing the duty of executors in certain cases;

A bill for the relief of Audley Harrison and Thomas Ely;

A bill for the relief of Micajah Armstrong and Samuel Turney; and,

A bill to establish a precinct election in the town of Rhea, in the county of Greene;

Were severally read a third and last time, passed and ordered to be enrolled.

A bill for the relief of Sheriffs;

Was read a third time;

Mr. Garrett offered an amendment in lieu of the whole bill prohibiting clerks of the circuit or county court from issuing a counter part of a writ or casa.

And the question thereon was taken,

And determined in the negative;

And so the said amendment was not adopted.

Mr. Howard then made a motion to strike out the first section of said bill, which provides that a sheriff executing a counter part of a casa or writ

from another county, may confine the defendant in the jail of his county should he fail to give security;

And the question thereon was taken,
And determined in the negative;
And so the said section was not stricken out;
The question was then taken,
Shall the said bill pass?
And determined in the affirmative;
There being

AYES—11.

NOES— 6.

The ayes and noes being required,
Those who voted in the affirmative, are;
Mr. Speaker Hall, Frey, Gammon, Garrett,
Gray, Green, of F., Huntsman, Lowry, Lytle,
Walker and Williams—11.

Those who voted in the negative, are;
Mr. Bradford, Greene, of R., Howard, Reynolds, Rucker and Smith —6.

And so the said bill passed.

A bill for the appointment of additional trustees for East Tennessee college;

Was read a second time.

On motion of Mr. Bradford,

Ordered, That said bill be laid upon the table till the first day of January next,

Mr. Lytle submitted the following resolution:

RESOLVED, *by the General Assembly of the state of Tennessee*, That Thomas Ferebee, be, and he is hereby appointed a justice of the peace for Davidson county;

The said resolution was read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A resolution received from the house of representatives this day, appointing justices of the peace for Perry county,

Was taken up and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

Mr. Brown submitted the following resolution:

Resolved, That the senate meet the house of representatives in their hall, on to-morrow at 12 o'clock for the purpose of filling the vacancies now existing in the supreme court of errors and appeals;

The said resolution was read;

And on the question,

To adopt said resolution,

It was determined in the affirmative.

There being

AYES—10.

NOES—8.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Frey, Greene, of R., Green, of F., Howard, Lowry, Lytle, Reynolds and Smith.—10.

Those who voted in the negative, are;

Mr. Bradford, Gammon, Garrett, Gray, Huntsman, Rucker, Walker and Williams.—8.

And so the said resolution was adopted.

Ordered, That the clerk acquaint the house of representatives therewith and ask their concurrence therein.

A bill to authorise Thomas Kell to erect a mill dam across Sequatchee river; and,

A bill to establish a precinct election in the county of Williamson;

Were both read a second time and passed.

A bill requiring the secretary of state to have bound, and kept in his office a certain number of copies of the pamphlet acts of this state;

A bill to provide for the publication of Haywood's and Cobbs' revision of the laws of this state;

Were both read a third time and passed.

A bill to amend the militia law of this state;

Was read a third and last time;
 And on the question,
 Shall the said bill pass?
 It was determined in the affirmative;
 There being

AYES.—11.

NOES— 5.

The ayes and noes being required;
 Those who voted in the affirmative, are;
 Mr. Bradford, Brown, Frey, Gammon, Garrett,
 Greene, of R., Green, of F., Howard, Huntsman,
 Lytle and Williams.—11.

Those who voted in the negative, are;
 Mr. Speaker Hall, Gray, Reynolds, Rucker and
 Walker.—5.

And so the said bill passed, and was
Ordered to be enrolled.

A bill for the benefit of Andrew Salts;

A bill to establish a female academy in the coun-
 ty of M'Nairy;

A bill to provide for the transfer or assignment
 of plats and certificates or improvements, south
 and west of the congressional line;

A bill establishing a precinct election in the
 county of Gr. inger;

A bill for the benefit of Joseph Bird, sen.

A bill for the relief of William Woods;

A bill to authorise the county court of Ander-
 son county to lay a tax for the purpose of building
 a prison and stocks;

A bill altering the time of holding regimental
 musters of the 64th regiment;

A bill to establish a third battalion in Dyer
 county;

A bill for the relief of William V. Aiken;

A bill for the relief of Arthur Patterson;

A bill to provide for the holding courts in cer-
 tain cases;

A bill to provide for the better regulation of the town of Alexandria in the county of Smith;

* A bill for the benefit of the citizens of Sullivan county;

A bill for the benefit of the Carroll guards;

A bill to authorise Columbia Lodge, No. 31 to receive title to a piece of ground for a Hall;

A bill to authorise the laying off a town at Dougherty's office in Carroll county;

A bill to authorise the entering any quantity of land, not exceeding one thousand acres, north and east of the congressional line;

A bill for the relief of George Hicks;

A bill for the relief of Jeremiah Lilliard and others;

A bill for the relief of Humphrey Donelson of Wilson county;

A bill to authorise the county court of Weakly to lay a tax for the purposes therein named;

A bill to extend and continue in force, the second section of an act, entitled "an act, to encourage the building of Mills in the western district;

A bill for the relief of Peter Lancham;

A bill to authorise Abraham Jones to build a fish trap in Clinch river;

A bill to establish a town to be called Winton, in Maury county;

A bill for the relief of Joseph Wyatt;

A bill to amend an act, to prevent any person from practising as an attorney in any court, in which he is a justice of the peace or clerk, passed 1817;

A bill for the relief of Deliverance Gray and others;

A bill for the benefit of George Reaves;

A bill for the benefit of James Greer;

A bill to make entries in the Hiwassee district liable to execution;

A bill to repeal certain laws therein named and to declare others in force;

A bill for the benefit of John Lane a citizen of Lincoln county;

A bill for the relief of the people of the third judicial district of the supreme court;

A bill to authorise Jesse Matthews to enter a certain piece or parcel of land;

A bill to authorise the running the dividing line between Warren and other counties;

A bill giving further time for registering and recording deeds, grants, and other conveyances;

A bill for the relief of persons who had judgments in their favor, in Montgomery county court, the record of which was burnt;

A bill to authorise the county court of Cocke county to open a turnpike road;

A bill for the relief of Edward Mitchell;

A bill for the relief of Eve Sherrell, wife of Samuel Sherrell of Wilson county;

A bill to divide the first battalion of the 81st regiment into two battalions, and

A bill for the relief of the commissioners of the town of Raleigh in Shelby county;

Were severally read a third and last time, passed and

Ordered, To be enrolled;

A bill for the relief of Daniel Carter or his rightful assignee;

Was read a second time and rejected.

A bill for the relief of mechanics and tradesmen;

Was read a third and last time, and rejected;

On motion of Mr. Williams,

A bill to condense and bring into one view, the laws governing the proceedings on attachments, and for other purposes, was

Ordered to be laid upon the table 'till the first day of January next.

Mr. Bradford submitted the following resolution:

Resolved, That the committee appointed to estimate the expenses of this general assembly, include to-morrow and no longer;

RESOLVED, by the *General Assembly of the state of Tennessee*, That the president and directors of the bank of the state transmit to the different agencies, the amount of money coming to each county academy, and loan the same as other monies are loaned at the agencies.

On motion of Mr. Huntsman,

Ordered, That said resolutions be laid upon the table 'till to-morrow;

And then the senate adjourned.

THURSDAY, DECEMBER 13th, 1827.

Mr. Brown, from the committee on enrolled bills, reported, that they have examined and found to be truly enrolled,

An act to establish a hospital at Memphis, in the county of Shelby;

An act for the relief of Hugh Gurley;

An act to establish quorum courts in the counties of Gibson and Carroll, and

An act for the relief of Charles Minor;

The speaker signed said enrolled bills;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

Mr. Greene of R., from the committee on Indian reservations, to which had been referred,

A bill for the relief of Henry Matlock, reported the same without amendment;

The said bill was then read a second time and passed.

Mr. Greene, of R., from the same committee, to

which had been referred a petition of John McClatchee and Robert Sloane, moved to be discharged from the further consideration thereof;

Ordered, That said committee be discharged from the further consideration of said petitions.

Mr. Huntsman submitted the following resolution:

WHEREAS, it is matter of considerable importance to the citizens living in the states west of the Alleghany mountain, and in the valley of the Mississippi, who are in the habit of ascending and descending the Mississippi river, to have a hospital erected at the town of Memphis in the state of Tennessee, for the relief of the sick and diseased persons of said states, who often land at that point. And whereas, the state of Tennessee has made an appropriation for that purpose.
—Therefore,

RESOLVED, by the General Assembly of the State of Tennessee, That the governor of this state communicate with the governors of the states interested in the navigation of said river, with a view to invite the co-operation of said states in any appropriation they may think proper to make, to promote said object.

Mr. Lytle submitted the following resolution:

RESOLVED, by the General Assembly of the state of Tennessee, That the secretary of state be authorised to deliver to the persons entitled, or their representatives, such title papers as may be filed with him, either at the present or any former session of the legislature, which may not be necessary for him to retain in his office.

Mr. Reynolds submitted the following resolution:

Resolved, That a joint, select committee be appointed to wait upon his excellency the governor, and inform him that the general assembly is about to adjourn *sine die*, and know of him if he has any further communication to make;

The said resolutions were severally read and adopted.

The speaker appointed Mr. Reynolds and Mr. Lowry the committee in the last resolution;

Ordered, That the clerk acquaint the house of representatives therewith and ask their concurrence therein.

On motion of Mr. Bradford,

The senate took up a resolution submitted by him on yesterday, relative to the distribution and loaning of the academy monies in the several counties in this state;

Which was read, amended and adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein;

A bill repealing the act of 1809, chapter 97, altering Dickson county line;

Was read a third and last time;

Mr. McMeans made a motion that said bill be laid upon the table 'till the first day of January next;

And the question thereon was taken,

And it passed in the affirmative;

There being

AYES—14.

NOES—4.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Brown, Cain, Gray, Green, of F., Huntsman, Lowry, Lytle, McMeans, Reynolds, Rucker, Walker and Williams.—14.

Those who voted in the negative, are;

Mr. Frey, Gammon, Garrett and Howard.—4.

And so the said bill was,

Ordered to be laid upon the table 'till the first day of January.

On motion of Mr. Brown,

The senate took up a resolution laid upon the

table by him, some days since, referring grants Nos. 2 and 3, to Edward Harris, for 1000 acres each, for adjudication;

Which was read and adopted.

Ordered, That the clerk acquaint the house of representatives and ask there concurrence therein.

A message from the house of representatives, by Mr. Campbell, their clerk,

Mr. SPEAKER;

The house of representatives non-concur in your resolution to go into the election, to-day, of judges to fill the vacancies in the supreme court;

They have adopted the following resolution, in which they ask your concurrence.

RESOLVED, by the General Assembly of the State of Tennessee, That the following persons be appointed justices of the peace, to wit:

For Rutherford county, Benjamin Ransom;

For Grainger county, Eli Hodge, Terry Magee, James Greenlea, John Ivy and John Clark;

For Henderson county, Abner Brown; and,

For Haywood county, Robert Burns;

And then he withdrew.

The message from the house of representatives was read at the clerk's table.

On motion of Mr. Garrett,

Ordered, That so much of said resolution as appoints justices of the peace for Grainger county, lie upon the table;

The balance of said resolution was concurred in, except as to the appointment of Robert Burns, for Haywood county, which was non-concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

A bill more effectually to provide for the reporting of the decisions of the supreme court;

Was read a third time.

And on the question,

Shall said bill pass?

It was determined in the negative;
There being

AYES— 8.

NOES— 9.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Brown, Garrett, Green, of F., Howard, Huntsman, Lowry and Williams.—8.

Those who voted in the negative, are;

Mr. Bradford, Frey, Gammon, Gray, Greene, of R., Reynolds, Rucker, Smith and Walker.—9.

And so the said bill was rejected.

Mr. Huntsman submitted the following resolution:

RESOLVED, by the General Assembly of the State of Tennessee, That the secretary of state procure from any source or from any state in the union, what is the price of the printing of the acts, laws and journals and job printing, and what the same can be done for, and that he report said information to the next general assembly of this state;

The said resolution was read,

And on the question to adopt said resolution,

It was determined in the affirmative;

There being

AYES—13.

NOES— 6

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Gammon, Garrett, Greene, of R., Green, of F., Howard, Huntsman, Lowry, Lytle, Rucker, Smith and Williams.—13.

Those who voted in the negative, are;

Mr. Brown, Frey, Gray, McMeans, Reynolds and Walker.—6.

And so the said resolution was adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein;

In which resolution the house of representatives non-concurred, and acquainted the senate therewith by message.

A bill to amend the militia law and make provision for the regiment of cavalry attached to the 10th brigade.

Mr. Williams made a motion to strike out the fourth section, which repealed the county drills;

And the question thereon was taken,

And it passed in the affirmative;

There being

AYES—10.

NOES— 8.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Frey, Gray, Howard, Huntsman, Lowry, Lytle, Reynolds and Williams—10.

Those who voted in the negative, are;

Mr. Brown, Gammon, Garrett, Greene, of R., Green, of F., Rucker, Smith and Walker—8.

And so the said section was stricken out:

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein;

In which amendment the house of representatives non-concurred, and acquainted the senate therewith by message.

A message from the house of representatives, by Mr. Campbell, their clerk.

Mr. SPEAKER,

The house of representatives concur in your resolution to appoint a committee to wait upon the governor and inform him that the two branches of the general assembly are about to adjourn *sine die*; also, in your resolution making it the duty of the governor to open a correspondence with governors of other states in relation to a hospital at Memphis; also, in your resolution,

that the secretary deliver documents to such persons as are entitled; also, in your resolution referring sundry land claims, and non concur in your resolution to refer grants, Nos. 2 and 3; for 1000 acres, to Edward Harris;

They concur in your resolution that the president and directors of the bank of the state, distribute the academy monies to the different county agents, in the proportion in which they [are] entitled to be loaned;

They have adopted a resolution appointing John Montgomery a justice of the peace for Blount county, in which they ask your concurrence;

The speaker has signed enrolled bills entitled,

An act for the relief of the citizens south of French Broad and Holston;

An act for the relief of Robert Gamble;

An act to amend an act for the relief of John Grigsby, Senr., passed, Oct. 18th, 1824.

An act to regulate the county court of Monroe and Carter counties, and for other purposes;

Which I am directed to deliver to the senate to receive the signature of their speaker. -

They have taken up on its third and last reading,

A bill for the modification of the supreme court and to authorise special terms of the circuit courts, and propose amending the same by striking out so much thereof as provides for the election of two chancellors to hold the chancery courts; and also, by adding a section thereto, requiring the judges of the supreme court to hold a term of said court at Jonesboro', in which they ask your concurrence;

And then he withdrew.

The speaker signed the enrolled bills received from the house of representatives;

Ordered, That the clerk deposit them in the office of the secretary of state.

The message from the house of representatives proposing to amend a bill for the modification of

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the supreme court, and to authorise special terms of the circuit courts,

Was read at the clerk's table;

And the question thereon was taken,

Will the senate concur in said amendment?

It was determined in the negative;

There being

AYES—2.

NOES—17.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford and Walker.—2.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Frey, Gammon, Garrett, Gray, Greene, of R., Green, of F., Howard, Huntsman, Lowry, Lytle, McMeans, Reynolds, Rucker, Smith and Williams.—17.

And so said amendments were non-concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

On motion of Mr. Lowry,

A resolution from the house of representatives, appointing John Montgomery a justice of the peace for Blount county,

Was taken up, read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

A bill to reduce the state tax on white polls,

Was read the third time.

Mr. Bradford made a motion to amend the caption to read,

A bill to provide for the payment of the state tax heretofore collected on white polls by the state bank;

Which was agreed to by the senate;

The question was then taken,

Shall the said bill pass?

And determined in the negative;

There being

AYES— 6.
NOES—11.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford, Gammon, Garrett, Lytle, Reynolds and Williams.—6.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Frey, Gray, Greene, of R., Green, of F., Howard, Huntsman, Lowry, Rucker and Walker.—11.

And so the said bill was rejected.

A bill to regulate the practice of attornies and to expedite business in the courts of this state,

Was read a second time,

And on the question,

Shall the said bill pass?

It was determined in the negative;

There being

AYES— 6.
NOES—11.

The ayes and noes being required,

Those who voted in the affirmative, are,

Mr. Bradford, Gray, Greene, of R., Rucker, Walker and Williams.—6.

Those who voted in the negative, are,

Mr. Speaker Hall, Cain, Frey, Gammon, Garrett, Howard, Huntsman, Lowry, Lytle, Reynolds and Smith.—11.

And so the said bill was rejected.

Mr. Green, of F., submitted the following resolution:

RESOLVED, by the General Assembly of the State of Tennessee, That it shall be the duty of the judges of the supreme court of this state, to select one of the number thereof, to preside as chief justice to conduct the business of said court;

The said resolution was read and rejected.

Mr. Huntsman made the following report:

The committee appointed to close the contract with the Nashville bank, to secure the debt due the state on account of the paper of said bank received in the bank of the state, report, that they have proceeded to discharge the duties assigned them, and that said Nashville bank has executed a contract for the security of said debt, in conformity with the report made by the committee on the subject, and concurred in by the two branches of this general assembly.

Your committee beg leave to state, further, that in their estimation, said contract has been closed upon terms equally or more advantageous than the stipulations contained in the report and resolution directing the same to be made.

A. HUNTSMAN, *Chairman.*

* The said report was read, and

Ordered to be sent to the house of representatives.

Mr. Howard submitted the following resolution:

Resolved, That the senate meet the house of representatives in their hall, on Friday the 14th inst. at 12 o'clock, for the purpose of electing two chancellors, one for the eastern and one for the western chancery districts;

The said resolution was read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith and ask their concurrence therein.

A bill to change the time of holding the county and circuit courts of Maury county, and for other purposes,

Was read a third and last time;

Mr Walker offered an amendatory section to said bill, reducing the salary of the judges of the supreme court, from eighteen hundred to fifteen hundred dollars;

And the question was taken,

Will the senate adopt said amendment?

And determined in the negative;
There being

AYES— 5.
NOES—11.

The ayes and noes being required;
Those who voted in the affirmative, are;
Mr. Bradford, Gray, Smith, Walker and Williams.—5.

Those who voted in the negative, are;
Mr. Speaker Hall, Frey, Gammon, Garrett, Greene, of R., Green, of F., Huntsman, Lowry, Lytle, Reynolds and Rucker.—11.

And so the said amendment was rejected.

The said bill was then passed a third and last time, and

Ordered to be engrossed, the caption having been altered to read, a bill to authorise special terms of the circuit court of Marion county, and for other purposes.

A bill regulating appeals, appeals in the nature of a writ of error, and for other purposes;

A bill to provide for improvements made on school lands;

A bill for the relief of Elizabeth L. Crenshaw, and others;

A bill authorising James Kirby and William Mc-Bath to erect mill dams on Little river, in Blount county;

A bill to establish a precinct election in Williamson county;

A bill for the benefit of Jacob Lea and others;

A bill to authorise Thomas Kell to erect a mill dam across Sequatchee river;

A bill to compel owners of slaves to work on public roads and for other purposes, and

A bill to alter a county line between Giles and Maury;

Were severally read a third and last time, passed, and

Ordered to be enrolled.

A bill for the relief of the several regiments of this state;

Was read a third and last time,

And on the question,

Shall the said bill pass?

And determined in the negative;

There being

AYES— 3,

NOES—12,

The ayes and noes being required,

Those who voted in the affirmative; are,

Mr. Bradford, Gammon and Garrett.—3.

Those who voted in the negative; are,

Mr. Speaker Hall, Frey, Gray, Greene, of R., Green, of F., Lowry, Lytle, Reynolds, Rucker, Smith, Walker and Williams.—12.

And so the said bill was rejected.

A bill to amend the militia law and make provision for the regiment of cavalry attached to the 10th brigade;

Was read a third and last time and rejected.

Mr. Gammon, who had withdrawn,

A bill to equalize the tax on merchants, returned the same without amendment;

The said bill was read a third time;

And on the question,

Shall the said bill pass?

It was determined in the negative;

There being

AYES— 8.

NOES— 9;

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Gammon, Garrett, Greene, of R., Lowry, Reynolds, Rucker, Walker and Williams.—8.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Frey, Gray, Greene, of R., Howard, Huntsman, Lytle and Smith.—9.

And so the said bill was rejected

A bill for the relief of Thomas White and others,
Was read a third time;

Mr. Bradford made a motion to strike out so much of said bill as directed the treasurer of East Tennessee to refund to the persons therein named, the money paid for the entry of certain lands in the Hiwassee district;

And the question thereon was taken,
And determined in the negative;

There being

AYES— 9.

NOES— 9.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Frey, Gammon, Gray, Green, of F., Rucker, Smith and Williams.—9.

Those who voted in the negative, are;

Mr. Brown, Garrett, Greene of R., Howard, Huntsman, Lowry, Lytle, Reynolds and Walker.—9.

And so the said motion was lost, for

According to a rule of the senate, where there is an equal division of the vote the motion is lost.

The question was then taken,

Shall the said bill pass?

And determined in the negative;

There being

AYES— 8.

NOES— 8.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Garrett, Greene, of R., Howard, Huntsman, Lowry, Lytle, Reynolds and Walker.—8.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Frey, Gammon, Gray, Rucker, Smith and Williams.—8.

And so the said bill was rejected, for

According to a rule of the senate, where there is an equal division of the vote the question is lost.

A bill to define the compensation of the public printers in this state,

Was read a third and last time.

Mr. Brown made a motion to amend said bill by striking [off] of the first section the following words: "that the laws hereafter be printed on small pica type, medium sheet, octavo, and that four cents for every sheet of twelve pages be paid for the same, each page to be fifty-three lines long, twenty-seven ems wide."

And the question thereon was taken,

And it passed in the affirmative;

There being

AYES-- 9.

NOES-- 8.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Brown, Frey, Gammon, Greene, of R., Howard, Lowry, Lytle, Reynolds and Walker.—9.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Garret, Green, of F., Huntsman, Rucker, Smith and Williams.—8.

And so the said words were agreed to be stricken out;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein;

In which amendment the house of representatives non-concurred and acquainted the senate therewith by message.

A bill to tax private banks,

Was read a third and last time,

Mr. Huntsman made a motion to amend said bill, by striking out "five hundred dollars" and insert "one thousand dollars" as the tax to be paid by the unchartered bank, until they close their business under the provisions of this act;

And the question thereon was taken,

And it passed in the affirmative;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Walker from the committee on enrolled bills, reported, that they had examined and found to be truly enrolled,

An act to repeal certain laws and to declare others in force;

An act for the relief of Peter Lanehan of Lincoln county;

An act for the relief of James Greer;

An act for the benefit of George Reaves;

An act to authorise lotteries for the erection of a female academy in the county of Maury, and a masonic hall in the town of Pulaski;

An act for the benefit of Humphrey Donelson of Wilson county;

An act continue in force, the second section of an act, entitled "an act, to encourage the building of Mills in the western district; passed 1826;

An act to authorise Abraham Jones to build a fish trap in the river Clinch in the county of Anderson;

An act for the relief of Deliverance Gray and others;

An act to authorise the county court of Weakly to lay a tax for the purposes therein named;

An act allowing one thousand acres, of land, to be entered north and east of the congressional reservation line;

An act for the relief of the people of the third judicial district of the supreme court;

An act giving further time for the recording and registering grants, deeds of conveyance and for other purposes;

An act to amend the militia law of this state;

An act to make entries liable to execution in the Hiwassee district;

An act to authorise Jesse Mattheß. to enter a certain parcel or tract of land therein named;

An act to authorise the county court of Cocke county to open a turnpike road;

An act for the relief of such persons as had judgments in their favor, in Montgomery county court, the record of which was burned;

An act to provide for the payment of costs of courts martial for the trial of officers, and for other purposes;

An act for the relief of John Lane a citizen of Lincoln county;

An act for the relief of Edward Mitchell;

An act to divide the first battalion of the 81st regiment;

An act for the relief of the commissioner of the town of Raleigh in the county of Shelby;

An act for the relief of Eve Sherrell, of Wilson county;

An act to establish a female academy at Purdy in the county of M'Nairy;

An act to authorise the running and marking the lines between the counties of Warren and Franklin;

An act for the relief of Arthur Patterson;

An act for the benefit of the citizens of Sullivan county;

An act to compel slave holders to work on roads and for other purposes;

An act for the benefit of the Carroll guards;

An act to provide for the better regulation of the town of Alexandria in the county of Smith;

An act to alter the county line between the counties of Maury and Giles;

An act for the relief of Audley Harrison and Thomas Ely;

An act for the relief of Micajah Armstrong and Samuel Turney;

An act for the relief of William V. Aiken;

An act for the benefit of George Hicks of Maury county;

An act to authorise the laying off a town at Dougherty's office in Carroll county; and

An act to establish a town to be called Winton in the county of Maury; and,

An act to establish a precinct election in the county of Williamson;

The speaker signed said enrolled bills;

Ordered, That the clerk transmit them to the house of representatives, to receive the signature of their speaker.

And then the senate adjourned.



FRIDAY, DECEMBER 14th, 1827.

Mr. Walker from the committee on enrolled bills, reported, that they had examined and found to be truly enrolled,

An act to establish a third battalion in the county of Dyer;

An act to authorise the county court of Anderson county to lay a tax for the purpose of building a prison and stocks in the town of Clinton;

An act to authorise Thomas Kell to erect a mill dam across Sequatchee river;

An act to alter the time of holding the chancery court at Paris, and the supreme court at Reynoldsburgh;

An act for the relief of John Perkins;

An act for the benefit of Jacob Lea and others;

An act to amend the judiciary system of this state;

An act to provide for the transfer or assignment on plats and certificates or improvements, made south and west of the congressional reservation line;

An act for the relief of Jeremiah Lilliard and others;

An act authorising Columbia Lodge, No. 31 to receive title to a piece of ground for a Hall;

An act to authorise John Stone and James Ellege to open and keep in repair a turnpike road;

An act to provide for the place of holding courts in certain cases;

An act for the benefit of Andrew Salts;

An act appropriating a fund for the support of common schools in the state of Tennessee;

An act authorising James Kerby and William M'Nabb to erect mill dams, on Little river in Blount county;

An act regulating appeals, and appeals in the nature of a writ of error from the circuit court of Davidson county to the supreme court of errors and appeals;

An act prescribing the duty of executors and administrators in certain cases;

An act to provide for improvements made on school lands;

An act to amend an act, to prevent any person from practising as an attorney in any court, of which he is a justice of the peace or clerk, passed 1817;

An act for the relief of Charles S. M'Crory, late sheriff of Lyer county;

An act directing the judge of the circuit court of Maury county to divorce Susanna D. Carr and Mary Harris, upon certain proof;

An act for the benefit of Joseph Bird, sen.

An act to establish an additional precinct election in the county of Greene;

An act to establish a precinct election in the county of Grainger; and,

An act altering the time of holding regimental musters in the 64th regiment of Tennessee militia;

The speaker, signed said enrolled bills;

Ordered, That the clerk transmit them to the

house of representatives, to receive the signature of their speaker.

Mr. Reynolds submitted the following resolution:

Resolved, That the committee appointed to make an estimate of the expenses of this session of the general assembly, include Saturday the 15th inst. and no longer,

Which was read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

The senate again took up on its third and last reading,

A bill to define the compensation of the public printers of this state.

The senate receded from their amendment of yesterday.

Mr. Huntsman and Mr. Bradford each offered amendments to said bill,

Which were adopted.

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

In which amendment the house of representatives concurred and acquainted the senate therewith, by message.

The said bill was then passed a third and last time; and

Ordered, To be enrolled;

A message from the house of representatives, by Mr. Campbell, their clerk;

Mr. SPEAKER;

The house of representatives have adopted a resolution that the senate meet the house of representatives in their hall this day at 12 o'clock for the purpose of electing two chancellors for this state; also, a resolution appointing Joseph H. Wendel, Samuel Mitchell and William B. Miller justices of the peace for Overton county, and Ed-

QQ SENATE.

ward Macei, William Hamilton and Samuel G. Smith for the county of Jackson, in which they ask your concurrence

They concur in your proposed amendment to a bill to suppress private banks.

The speaker has signed enrolled bills entitled,

An act appointing a commissioner to settle with the entry-taker of the Hiwassee district;

An act for the benefit of poor defendants;

An act requiring the secretary of state to have bound, and kept in his office a certain number of copies of the pamphlet acts of this state;

An act appointing additional trustees for the county academies therein named;

An act prescribing the duties of the president and directors of the bank of the state;

An act to amend an act, entitled "an act, to regulate proceedings in civil cases and for other purposes" passed 1823;

An act to establish an inspection of tobacco, and other articles at the Mouth of Gap creek on Powell's river in Claiborne county;

An act for the relief of John S. Hardy,

An act relative to the adjudication of land claims;

An act authorising the surveying of certain entries in the counties of Bledsoe and Marion;

An act to compel public ferry-keepers to do their duty;

An act for the benefit of Benjamin C. Totten;

An act authorising a turnpike road over Tennessee bottom opposite Reynoldsburg;

An act for the relief of Abraham Hunter;

An act for the benefit of sheriffs;

An act to explain the meaning of certain words in the statutes of limitations now in force in this state;

An act for the relief of such persons as hold lands under grants from North Carolina or Tennessee;

An act for the relief of Charles M'Clung;

An act for the benefit of the commissioners of the town of Tellico;

An act to authorise Thomas Wheeler of Campbell county to open a turnpike road;

An act providing compensation for the counsel of the state in certain indian reservation suits; and

An act to provide for the publication of Haywood's and Cobbs' revisal;

Which, I am directed to deliver to the senate to receive the signature of their speaker;

And then he withdrew.

The speaker signed the enrolled bills received from the house of representatives;

Ordered, That the clerk deposit them in the office of the secretary of state;

A resolution from the house of representatives to go into the election of chancellors and to appoint justices of the peace for the counties of Jackson and Overton,

Were severally read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

Mr. Smith made a motion to reconsider,

A bill for the relief of Thomas White and others which was rejected on yesterday;

And the question thereon was taken,

And it passed in the affirmative;

And so the said bill was re-considered

Mr. Bradford made a motion to strike out so much of said bill as relates to land entered in the entry-taker's office of the Hiwassee district;

And the question thereon was taken,

And determined in the negative;

There being

AYES— 8.

NOES—10.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Cain, Frey, Gammon, Gray, Rucker and Williams.—8.

Those who voted in the negative, are;

Mr. Brown, Garrett, Greene, of R., Howard, Huntsman, Lowry, Lytle, M'Means, Reynolds and Walker.—10.

And so the said motion was lost.

The question was then taken,

Shall the said bill pass?

And determined in the affirmative;

There being

AYES—11.

NOES— 8.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Brown, Garrett, Greene of R., Howard, Huntsman, Lowry, Lytle, M'Means, Reynolds, Smith and Walker—11.

Those who voted in the negative, are;

Mr. Speaker Hall, Bradford, Cain, Frey, Gammon Gray, Rucker and Williams.—8.

And so the said bill passed a third reading.

Mr. Huntsman submitted the following resolution;

RESOLVED, by the General Assembly of the State of Tennessee, That Marcus B. Winchester be, and he is hereby appointed Notary public for the county of Shelby;

Which was read and adopted.

Ordered, That the clerk acquaint the house of representatives therewith and ask their concurrence therein.

A bill for the benefit of Sheriffs;

Was read a third and last time;

Mr. Bradford made a motion that said bill be laid upon the table till the first day of January;

And the question thereon was taken,

And determined in the affirmative;

There being

AYES— 9.

NOES— 7.

The ayes and noes being required,

Those who voted in the affirmative, are;

Mr. Speaker Hall, Bradford, Cain, Frey, Gray, Reynolds, Rucker, Smith and Walker—9.

Those who voted in the negative, are;

Mr. Gammon, Garrett, Greene, of R., Howard, Lytle and Williams—7.

And so the said bill was

Ordered to be laid upon the table till the first day of January next.

Mr. Lytle submitted the following resolution,

RESOLVED, by the General Assembly of the state of Tennessee, That the claim of John Overton, late supervisor of the United States for the state of Tennessee, for compensation, for the sum of \$203 39, suggested to have been paid by him to said United States on account of direct tax, which has never been refunded, and on account of which he obtained land warrants, be, and is hereby referred to the commissioner of land claims, who is hereby authorised and directed to report whether it be just and proper that he should be paid and compensated for the principal and interest, in so many of said warrants, as in his opinion shall be sufficient, satisfactory proof being made.

The said resolution was read and rejected.

Mr. Frey from the committee appointed to ascertain the number of acts and journals, necessary to be printed, and apportion the same amongst the several counties, reported, that the committee had agreed to the following distributions of the acts and journals.

Counties.	No. of acts.	No. jour.
1 Anderson	27	10
2 Bedford	108	50
3 Bledsoe	29	11

QQ2 SENATE.

Counties.	No. of acts.	No. jour.
4 Blount	45	18
5 Campbell	26	9
6 Carroll	45	20
7 Carter	26	9
8 Claiborne	32	12
9 Cocke	30	11
10 Davidson	68	29
11 Dickson	36	13
12 Dyer	24	9
13 Fayette	29	11
14 Fentress	26	9
15 Franklin	51	22
16 Gibson	25	9
17 Giles	52	22
18 Grainger	48	20
19 Greene	52	22
20 Hamilton	20	6
21 Hardeman	30	11
22 Hardin	33	13
23 Hawkins	55	23
24 Haywood	24	8
25 Henderson	34	13
26 Henry	48	19
27 Hickman	48	20
28 Humphries	36	15
29 Jackson	50	21
30 Jefferson	45	19
31 Knox	50	22
32 Lawrence	34	13
33 Lincoln	62	29
34 Monroe	50	23
35 M'Minn	53	22
36 Morgan	25	8
37 Marion	29	11
38 Montgomery	36	14
39 Maury	82	36
40 Madison	48	21
41 M'Nairy	26	10
42 Obion	25	9

Counties.	No. of acts.	No. jour.
43 Overton	29	10
44 Perry	39	15
45 Roane	46	20
46 Rhea	39	15
47 Rutherford	68	33
48 Robertson	50	21
49 Sevier	30	11
50 Sullivan	41	17
51 Sumner	62	28
52 Stewart	32	13
53 Shelby	18	5
54 Smith	64	28
55 Tipton	20	7
56 Warren	55	25
57 White	45	18
58 Williamson	70	30
59 Wayne	31	12
60 Wilson	55	27
61 Washington	37	14
62 Weakly	28	10

2581

1061

For clerks of the general assembly 1 copy each

4

4

To be deposited in the secretary's office to exchange with other states and territories,

50

To be deposited in the secretary's office for the use of the general assembly,

50

20

Total

2685

1085

Respectfully submitted

H. FREY, *Chairman.*"

The said report was read and concurred in.

A bill to authorise suit to be brought against one of several executors, &c.

A bill to alter the time of holding county drills, in the counties therein named, and for other purposes;

A bill for the benefit of Henry Matlock;

A bill to repeal an act, entitled "an act to confirm and make good all grants issued by the state of North Carolina, on entries and warrants made West of Brown's line," passed Dec. 9th, 1826; and,

A bill to erect Woodward academy into a college, to be denominated Jefferson college;

Were severally read a third and last time, passed, and

Ordered, To be enrolled.

In conformity with a joint resolution, this day, at 12 o'clock, the speaker and gentlemen of the senate repaired to the hall of the house of representatives, and were seated within the hall;

Whereupon, the two houses proceeded, by joint ballot, to the election of a chancellor for the eastern chancery district, and upon collecting and counting out the ballots the tellers reported that Nathan Green had received thirty-three votes, and Wm. B. Reese had received twenty-five votes;

The two houses then proceeded, by joint ballot, to the election of a chancellor for the western chancery district, and upon collecting and counting out the ballots, on the second balloting, the tellers reported, that Wm. E. Anderson had received forty votes and George W. Gibbs had received nineteen votes;

The speaker of the senate then declared, in presence of both branches of the general assembly, that Nathan Green, Esquire, was duly and constitutionally elected chancellor for the eastern chancery of this state, and William E. Anderson, Esquire, for the western chancery district.

The speaker and gentlemen of the senate returned to their own chamber, and the speaker resumed the chair.

The senate took up, on its third and last reading,

A bill to authorise the courts of pleas and quarter sessions to appoint trustees for county academies.

Mr. Huntsman moved to amend the caption to read,

A bill supplemental to an act, entitled "an act to amend the judiciary system of this state," passed 13th December, 1827;

Which was agreed to;

Mr. Huntsman then offered an amendment in lieu of the whole bill, from the enacting clause;

Which was adopted,

Mr. Greene, of R., also offered an amendment to said bill,

Which was adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein;

A bill to suppress private banking;

Which had been amended by message was passed a third and last time, and

Ordered to be enrolled.

Mr. Reynolds, from the committee appointed to wait upon the governor and inform him that the two houses of the general assembly are about to adjourn *sine die*, and know if he has any further communication to make, presented the following communication;

Which was read:

Gentlemen of the Senate

and of the House of Representatives,

The joint committee of both houses has waited upon me, for the purpose of ascertaining whether any further communication would be submitted to the general assembly at its present session.

No new subject will be recommended to your deliberation, previous to adjournment.

For your courtesy, gentlemen, I pray you to accept my kindest salutation, and bear with you, to your constituents, your homes and families, the assurance of my best wishes and most devout prayers for your happiness, and prosperity and the liberty of our country.

SAM. HOUSTON.

Executive Office, Dec. 13th, 1827.

A message from the house of representatives, by Mr. Campbell, their clerk.

Mr. SPEAKER,

The house of representatives concur in your resolution appointing Marcus B. Winchester, notary public for Shelby county;

They have adopted a resolution that the senate meet the house of representatives, in their hall, at half past 4 o'clock, for the purpose of electing a director for the bank of the state of Tennessee, in the place of Wm. E. Anderson, Esq. appointed chancellor, in which they ask your concurrence;

And then he withdrew.

The resolution to elect a director of the bank of the state, was read and concurred in;

Ordered, That the clerk acquaint the house of representatives therewith.

A bill making an appropriation of money to defray the necessary expenses of the first session of the 17th general assembly;

Was read a third time.

Mr. Smith made a motion to amend said bill, by striking out "four dollars" and insert, in lieu thereof, three dollars, as the per diem pay of the members;

And the question thereon was taken,

And determined in the negative;

There being

AYES— 4.

NOES—15.

The ayes and noes being required;

Those who voted in the affirmative, are;

Mr. Bradford, Rucker, Smith and Williams.—4.

Those who voted in the negative, are;

Mr. Speaker Hall, Brown, Cain, Frey, Gammon, Garrett, Gray, Green, of R., Howard, Huntsman, Lowry, Lytle, McMeans, Reynolds and Walker.—15.

And so the said motion was lost.

Mr. Frey, from the committee appointed to ascertain the expenses of the session, reported an amendment to said bill to provide payment for the contingent expenses of this session,

Which was read and adopted;

The said bill then passed a third time.

Mr. Brown presented the resignation of Nathan Green, a member of the senate;

Which was read and accepted.

Mr. Reynolds submitted the following resolution, which was read and unanimously adopted:

Resolved, That the thanks of the senate be presented to the speaker, Mr. William Hall, for the assiduity, promptitude and ability, with which he has administered the duties of the chair, during the present session.

The speaker and gentlemen of the senate repaired to the hall of the house of representatives, and were seated within the hall;

Whereupon, the two houses proceeded, by joint ballot, to the election of a director of the bank of the state, and upon collecting and counting out the ballots upon the third balloting, the speaker of the senate declared that Thomas A. Duncan was duly elected a director of the bank of the state of Tennessee, to fill the vacancy occasioned by the appointment of Wm. E. Anderson, Esq. chancellor.

The speaker and gentlemen of the senate re-

turned to their own chamber, and the speaker resumed the chair;

And then the senate adjourned.

SATURDAY, DECEMBER 15th, 1827.

Mr. Walker, from the committee on enrolled bills, reported that they had examined and found truly enrolled, bills entitled,

An act to define the compensation of the public printers of this state;

An act to repeal "an act to confirm and make good all grants issued by the state of North Carolina, on entries and warrants, made west of Brown's line," passed, Dec. 9th, 1827;

An act to erect Woodward academy into a college, to be denominated Columbia college;

An act to encourage and facilitate the commercial intercourse between the states of Tennessee and North Carolina;

An act to repeal the act therein named;

An act for the relief of Henry Matlock, and

An act to suppress private banking;

An act to alter the county drills in the counties therein named;

An act for the benefit of Elizabeth L. Crenshaw and Samuel Morris;

An act to authorise suits to be brought before a justice of the peace, against one of several executors or administrators in certain cases;

The speaker signed said enrolled bills.

Ordered, That the clerk transmit them to the house of representatives to receive the signature of their speaker.

Mr. Frey submitted the following resolution:

RESOLVED, by the General Assembly of the State of

Tennessee, That Samuel P. Ashe be permitted to make void, entry No. 414 for 20 acres, in the 9th surveyor's district, and that Absalom Stegal be permitted to make void, entry No. 1758 for 15 acres, in said district, and also, that Jenny Herron be permitted to make void, entry No. 1502 for 20 acres, should it appear to the satisfaction of said surveyor that said entries do not embrace the land intended to be embraced by said enterers.

Mr. Brown submitted the following resolution:

Resolved, That the thanks of this general assembly be expressed to the owners of the masonic hall, for the use of the respective rooms in which our deliberations have been conducted, and that the secretary of state ascertain the casual damage to the windows, shutters, &c. which has been done during the session, in consequence of its use, and have the same repaired, and present his account to the next session of the general assembly;

Which were both read and adopted;

Ordered, That the clerk acquaint the house of representatives therewith, and ask their concurrence therein;

The house of representatives concurred in the last of said resolutions, and non-concurred in the first, and acquainted the senate therewith by message.

Mr. Frey, from the committee appointed to estimate the expenses of this session of the general assembly, reported the following statement of the mileage and per diem pay of the speaker, members and officers of the senate:

<i>NAMES.</i>	<i>AMOUNT.</i>		
	<i>Days.</i>	<i>Miles.</i>	<i>Dolls. cts.</i>
1. William Hall, speaker,	90	75	462 00
2. Theoderick F. Bradford	"	110	377 60
3. Aaron V. Brown	"	160	385 60
4. George I. Cain	"	70	371 20
RR SENATE			

<i>NAMES.</i>	<i>Days.</i>	<i>Miles.</i>	<i>Dolls.</i>	<i>Cts.</i>
5. Henry Frey	90	46	367	36
6. George Gammon	"	600	456	00
7. Gray Garrett	"	500	440	00
8. Thomas Gray	"	220	395	00
9. James I. Greene	"	330	416	00
10. Nathan Green	"	154	387	84
11. Tilghman A. Howard	"	512	441	92
12. Adam Huntsman	"	290	406	40
13. John Lowry	"	400	424	00
14. William Lytle	"	00	360	00
15. James R. McMeans	"	160	385	60
16. Benjamin Reynolds	"	100	376	00
17. Samuel R. Rucker	"	64	370	00
18. Samuel G. Smith	"	140	382	40
19. Joel Walker	"	100	376	00
20. John Williams	"	400	424	00
Russell Dance, clerk	"	00	540	00
John H. Morgan, eng'r. cl'k.	"	00	540	00
Cornelius Slater, door-keeper	"	00	360	00
			\$9444	
			16	

HENRY FREY. *Chairman.*

A message from the house of representatives, by
Mr. Campbell, their clerk,

Mr. SPEAKER,

The Speaker of the senate has signed
enrolled bills entitled,

An act to regulate the times of holding the courts
therein named,

An act to provide for the equal distribution of the
public arms belonging to this state;

An act appointing additional commissioners for
the turnpike roads therein named;

An act appropriating money to defray the ex-
penses of the first session of the 17th general as-
sembly of the state of Tennessee;

An act for the relief of Thomas White and oth-
ers;

Which I am directed to deliver to the senate, to receive the signature of their speaker;

And then he withdrew.

The speaker signed the enrolled bills received from the house of representatives;

Ordered, That the clerk deposit them in the office of the secretary of state.

A message from the house of representatives, by Mr. Campbell, their clerk,

Mr. SPEAKER;

The house of representatives concur in your amendment to a bill supplemental to an act to amend the judiciary system of this state, passed Dec. 13th, 1827;

And then he withdrew;

The said bill was then read a third and last time, passed, and

Ordered to be enrolled.

Mr. Walker, from the committee on enrolled bills, reported that they have examined and found to be truly enrolled;

An act supplemental to an act to amend the judiciary system of this state, passed Dec. 13th, 1827;

The speaker signed said enrolled bill;

Ordered, That the clerk transmit the same to the house of representatives to receive the signature of their speaker.

On motion of Mr. Walker,

Ordered, That the clerk do, by message, inform the house of representatives that the senate, having finished all the business before it, are ready to adjourn sine die;

A message was then received from the house of representatives, informing the senate that they have, also, finished the business before it, and are ready to adjourn, without day;

